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ABSTRACT

The final report of an experimental pre-trial intervention program of intensive manpower services (individual and group counseling and job, training, or academic placement with the help of career developers) for selected defendants in Manhattan covers the period November 1967 through October 1970. After three years and 1,300 participants, dismissals recommended by the project were being granted in 61 percent of the cases. The project demonstrated that pre-trial counseling and career development can be introduced into an existing court situation, that it can effect positive changes in the life-styles of defendants within a three-month period resulting in a lower recidivism rate, and that nonprofessionals (exconvicts and exaddicts) can be recruited and trained to perform effectively as staff counselors. The report includes a project summary and history of the operation, and an epilogue stating that since termination of the demonstration phase of the pilot project it has been incorporated, has doubled its scope to include Brooklyn and the Bronx, and has continued to receive the support of the city and court. (MS)

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THE MANHATTAN COURT EMPLOYMENT PROJECT

of the Vera Institute of Justice

U.S. DEPARTMENT OF HEALTH
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FINAL REPORT

November 1967 – December 31, 1970

CE 000 363

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PRE-TRIAL INTERVENTION

THE MANHATTAN COURT EMPLOYMENT PROJECT
of the Vera Institute of Justice

FINAL REPORT

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Submitted to Seymour Brandwein, Associate Director, Office of Research and Development, and to William Throckmorton, Project Officer, by Ennis J. Olgiati, Director, Court Employment Project, 261 Broadway, New York, New York 10007.

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*As of this printing, the Project has expanded its operations into the New York City boroughs of Brooklyn and the Bronx, and has relocated the original Manhattan Court Employment Project to new offices. Current Project addresses are listed below:

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Emanuel Burke
Borough Director

Counseling sessions are no longer held in the clubhouse, but in the individual borough offices.

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PREFACE

What started as a small demonstration-research project to see if persons accused of crime could be diverted into productive paths before they became deeply involved in criminal behavior is beginning to be duplicated in cities across the country.

In 1967, the Manhattan Court Employment Project was set up by the Vera Institute of Justice to test whether a successful job coupled with counseling could change certain defedants' life-styles within a three month period after arrest, before trials were held.

Working closely with the City's courts, District Attorney Frank Hogan's office and employers sympathetic to the idea of rehabilitation, Vera Institute obtained 90 day trial delays. During this period, Vera career developers found jobs for participants while counselors—themselves ex-offenders and ex-addicts—provided backup support. If defendants did well during the period, the Manhattan Court Employment Project recommended that their cases be dismissed.

Results of the experiment were promising. After three years of operation, dismissals were being granted in 61% of recommended cases. The remaining cases were returned to court for trial without prejudice. Those who won dismissals continued to hold down their jobs; few persons were unemployed in follow-up studies conducted a year later. Recidivism rates were low.

We at Vera are pleased that the Manhattan Court Employment Project has progressed to the stage that it is now a vital arm of New York City's criminal justice process.

Vera Institute is grateful to the Manpower Administration of the U.S. Department of Labor, to the late Senator Robert F. Kennedy, and to Mayor John Lindsay's Criminal Justice Coordinating Council for making possible the original experiment.

Hopefully, this report to the U.S. Department of Labor will prove informative and useful to other jurisdictions in their efforts to reform their criminal justice systems.

Burke Marshall
Chairman of the Board
Vera Institute of Justice

FOREWORD

It is with great relief and pleasure that I submit to the Department of Labor this final report on the Manhattan Court Employment Project.

Having followed the creation of this report from its first writing through the final edit and printing, I find it difficult to assess it with much objectivity. My impression is, however, that the report is fair, accurate and comprehensive.

I am left, though, with the sense that somehow the dynamics of what we do–or perhaps who we are–have not been recreated in the writing. That is to say, an essential human quality–however elusive it may be–has been overshadowed by the facts and figures that documentation is required. Perhaps this is the problem with writing about people–a problem that novelists are much more equipped to handle than we.

I am prompted, therefore, to remind the readers of this report that our fundamental concern has been to help those people we touched–both participants and staff–to grow. Operational considerations have been and continue to be weighed with this goal in mind.

Ennis J. Olgiati, Director
Court Employment Project

PRE-TRIAL INTERVENTION

THE MANHATTAN COURT EMPLOYMENT PROJECT

of the Vera Institute of Justice

Final Report

November 1, 1967 – December 31, 1970

PROJECT SUMMARY

SUMMARY FACT SHEET

Operating Agency:	The Vera Institute of Justice	
Funding Agency:	Manpower Administration, U.S. Department of Labor, Office of Research and Development	
Contract Period:	November 1, 1967–October 31, 1970	
Project Description:	An experimental pre-trial intervention program of intensive manpower services for select defendants	
Area of Operation:	Borough of Manhattan, New York City	
Statistical Data:	No.	Percentage
Total No. Participants Accepted	1,300	
Dismissed	626	48.2%
Terminated	674	51.8%
Participant Characteristics		
Age (median)	19	
Grade Level Attained (average)	10.2	
Marital Status		
single	972	74.8%
married	286	22.0%
separated, widowed, divorced	42	3.2%
Ethnicity		
Black	653	50.2%
Puerto Rican	397	30.5%
Other Spanish-speaking	42	3.2%
White	184	14.2%
Other	24	1.9%
Distribution of Charges Against Participants		
Misdemeanors	841	64.7%
Felonies	387	29.8%
Violations	72	5.5%
Employment Data:		
Total No. Referrals to Job, Training, School	1,367	
Total No. Placements in Job, Training, School	624	

12-Month Recidivism Rates for Sample Groups:

Dismissed	15.8%
Terminated	30.8%
Control	31.9%

General Findings:

The Manhattan Court Employment Project demonstrated that:

1. a pre-trial intervention program of counseling and career development could be introduced into an existing administration of justice and receive the cooperation of the court and the District Attorney;

2. a pre-trial intervention program of counseling and career development could affect positive changes in the life-styles of select defendants within a three-month period; and, that these positive changes result in a lower incidence of post-Project rearrest among those who complete the program successfully than among those who do not complete the program and those who are not given an opportunity to participate in the program;

3. non-professionals (ex-convicts and ex-addicts) could be recruited and trained to perform effectively as staff counselors.

PROJECT STAFF

The dedicated people who staffed the Project during its first three years deserve special thanks. All of them, and especially Henry M. Aronson, were responsible for the program's success.

The list below comprises all staff members employed at the close of the demonstration phase. By then, the Project had hired additional personnel for the expansion into other boroughs, so the length of the list does not reflect the normal demonstration phase staff size of about 30.

Henry M. Aronson	Project Director, Nov. 1, 1967 – Oct. 15, 1970
Ennis J. Olgiati	Project Director
Daniel H. Friedman	Associate Director for Administration
Daniel Rubinstein	Associate Director for Counseling
Carolyn Huggins	Coordinator of Career Development
Madeleine Crohn	Assistant to the Associate Director for Administration
Robert Krulwich Brett Gorkin	Screening Supervisors
Peter Paden Timothy Knowles Priscilla Orr Lydia Martinez Stephen O'Rourke Gary Kornblith Kathleen Dockery Mary Rothchild Skaidrite Picciotto Claire Spector	Screeners
Allen Geller David Feazell Paul Herzich	Trainers
Joseph Pelletteri Leonard Melford	Intake Coordinators
Edward Barnett Robert McGowan Nathaniel Caldwell Thomas Turner	Counseling Supervisors

Representatives

Garland Alston
Howard Bailey
Ramon Diaz
Ludwig Elstak
Robert Lara
Lillian Mateo
Michael McLaughlin
Roy Schwartz
Jake Tanksley
Santiago Torres
Thomas Cecilio
Raymond Davila
Ronald Lewis
Leroy Nelson

Career Developers

George Amerson
Roger Caban
Bernard Krauss
Ann Woods
Gene Alberico
Anne Albrink
Ernest Torczyner
Connie Haynes

Assistants to the Supervisors

Lynette Jackson
Celeste Miller
Marilyn Wilson
Anne Hayes

Secretaries

Alverta Wren
Carol Bossdorf
Marta Reyes
Patricia Decker
Carol Latham
Cynthia Choice

Receptionist

Maria Carrion

Research Associate

Hermine Delany

Accountant

Wendal Rolle

Social Services Supervisor

Emanuel Burke

Maintenance

Glenn Bell

INTRODUCTION

More than 100,000 defendants pass through the Manhattan Criminal Court each year. Most are young, uneducated, unskilled, unemployed members of minority groups from one of the city's ghettos. Statistics vary, but at least one expert has concluded that ". . . the average man who is arrested once will be arrested seven times" (James Q. Wilson, *New York Times Magazine*, May 11, 1969). It is likely that the only "successful" people most of these defendants have ever known are people beating the system: gamblers, number-runners, narcotics dealers, and pimps. Ghetto people who make lawful successes of themselves do not remain in the ghetto as examples for the young.

Federal, state, city and private programs have been developed to counteract some of the disabilities faced by the young ghetto resident. Welfare assistance, remedial education, addiction treatment, employment guidance, job training, health programs, and legal services are available. But few programs reach a person when he may need them most—at the time of arrest—and even fewer focus specifically on people accused of a crime.

The Manhattan Court Employment Project (MCEP) was designed as an experimental, alternative disposition available to the court for select defendants. The Project intervenes in the usual court process just after a defendant's arrest. It offers him counseling and vocational opportunities for a period of 90 days and, if he cooperates and shows promise of permanent change, recommends that the prosecutor and the judge dismiss the charges against him without deciding whether or not he is guilty.

The Project's ability to convert a defendant's arrest from a losing to a winning experience benefits the defendant, the courts and the community. Successful participants have their charges dismissed and leave the Project employed or in vocational or academic training. The over-burdened criminal justice system is freed to attend to more serious cases; Project participants do not spend time in overcrowded detention facilities; successful participants make fewer court appearances and are less likely to be rearrested than the average defendant. Finally, the community benefits because individuals who may have been developing a lifelong pattern of criminal behavior are now on their way to becoming productive, tax-paying members of society.

The MCEP was developed in 1967 by the Vera Institute of Justice and sponsored by New York City Mayor John V. Lindsay and his Criminal Justice Coordinating Council. With the aid of the late Senator Robert F. Kennedy, the Vera Institute received funding from the Manpower Administration of the U.S. Department of Labor for an experimental and demonstration pre-trial intervention project. The primary purposes of the grant were to test whether:

1. a pretrial intervention program of intensive manpower services could be introduced into an existing administration of justice and receive the cooperation of the court and the District Attorney;

2. a pretrial intervention program of intensive manpower services could affect positive changes in the life-styles of select defendants within a three-month period;

3. non-professionals (ex-convicts and ex-addicts) could be recruited and trained to perform effectively as staff counselors.

During the three-year experimental phase, the MCEP demonstrated the viability of pre-trial intervention, of intensive manpower services for select defendants, and of employing non-professional counselors. The following overview highlights the operations and statistical findings of the Project's experimental phase.

OVERVIEW OF OPERATIONS AND FINDINGS

SELECTION OF PARTICIPANTS

ELIGIBILITY

Eligibility standards for Project admission were established jointly by Project administrators and members of the District Attorney's office. Criteria were designed from the start to eliminate from consideration those defendants least likely to benefit from a program of employment and intensive, short-term counseling—alcoholics, addicts and people who make large sums of money illegally—as well as persons with serious felony charges or numerous prior arrests.

Current eligibility criteria require that participants be:

1. males and females between the ages of 16 and 45;
2. unemployed, or if employed, not earning more than $125 per week;
3. residents of New York City, except of Queens and Staten Island, with verifiable addresses;
4. not charged with a violation,* homicide, rape, kidnapping or arson;
5. not alcoholics or identifiable drug addicts (although those charged with possession of marijuana or hashish may be considered);
6. individuals who have not spent more than one continuous year in a penal institution.

Defendants with pending cases are eligible for participation, as are those on probation, providing the Probation Officer agrees.

TERMS OF PARTICIPATION

Terms of participation also were established jointly by Project administrators and members of the District Attorney's office. All requests for participation must be approved by the prosecutor and the presiding judge. If a request is approved, the court agrees to adjourn a defendant's case for a period of 90 days so that he may participate in the Project. At the end of the 90 days, the defendant returns to court with a progress report from the Project, recommending one of three actions by the court:

*A violation is a petty criminal offense, e.g. Disorderly Conduct, punishable by a small fine or a maximum of 15 days in jail. Defendants charged with violations were accepted originally, but the penalties for violations were too light to encourage their cooperation with the Project. Therefore, they are no longer considered eligible, although exceptions are made.

1. dismissal of the defendant's charges based on his favorable progress;
2. a further adjournment of one, two, or three months to permit additional counseling;
3. termination of the defendant's participation in the Project and the resumption of the prosecution of his case.

To be recommended for dismissal of charges, defendants must not be rearrested or use narcotics; they must behave responsibly, keeping all appointments with Project staff, agencies, and prospective employers; attend and become involved in all counseling sessions; and make satisfactory vocational adjustments.

Termination is recommended when the Project has been unable to work successfully with a defendant. The District Attorney has agreed that a recommendation of termination will not be used to a defendant's disadvantage in the prosecution of his case.

SCREENING OPERATIONS

Shortly after each arrested person is brought to the Manhattan Criminal Court for arraignment, (appearance before a judge, setting of bail and assignment of counsel), Project Screeners, stationed in the Chief Clerk's office next to the arrangment court, review his papers, check his prior record and interview him to see if he is eligible and willing to take part in the Project.

If the defendant is eligible and he and his lawyer agree to his participation, a Screener asks the prosecutor to request that the defendant's case be adjourned for 90 days and that he be released on his own recognizance (that is, without bail). The court grants about 90% of the Screeners' requests for adjournments.

The new participant is escorted by a Screener to the Project office in the court building and formally admitted into the Project.

Project Screeners review the court papers of all persons arraigned in the Manhattan Criminal Court during weekday court. They examine more than 1,000 cases a week, the majority of which are either ineligible or disposed of at the time of arraignment.

Under the Project's original, more restrictive criteria, about 10 defendants were accepted into the Project each week. Current criteria enable the Project to accept an average of 20 defendants per week, or about 2% of the yearly arraigned population. Altogether, Project eligibility criteria permitted a total of 1,300 participants to be accepted during the three-year experimental phase.

THE PARTICIPANTS

Participants accepted into the Manhattan Court Employment Project have the following characteristics:

Total: 1300

Age (median)	19	
Grade Level Attained (average)	10.2	
Marital Status	No.	Percentage
–single	972	74.8%
–married	286	22.0%
–separated, widowed, divorced	42	3.2%
Ethnicity		
–Black	653	50.2%
–Puerto Rican	397	30.5%
–Other Spanish-speaking	42	3.2%
–White	184	14.2%
–Other	24	1.9%

The charges against Project participants fall into three general categories:

1. misdemeanors, punishable by up to one year in prison and $1,000 fines
2. felonies, punishable by up to a sentence of death
3. violations (a category no longer routinely considered for admission) punishable by up to 15 days in prison and $250 fines.

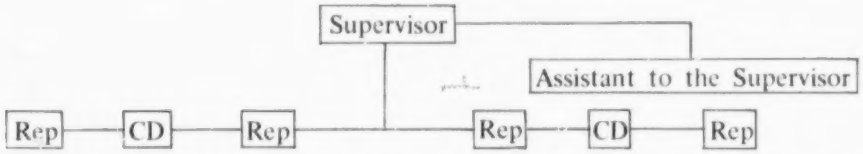
The distribution of charges against the total participant population is as follows:

Year of Project	Total No. of Subjects	Misdemeanors		Felonies		Violations	
		No.	Percent	No.	Percent	No.	Percent
First	450	266	59.1%	141	31.3%	43	9.6%
Second	450	311	69.1%	113	25.1%	26	5.8%
Third	400	264	66.0%	133	33.2%	3	0.8%
Total:	1300	841	64.7%	387	29.8%	72	5.5%

Demographic data and arrest information are recorded on all participants the day they enter the Project.

PROJECT SERVICES

The Project offers two basic services: individual and group counseling with Representatives (Reps) and job, training, or academic placement with the help of Career Developers (CDs). These services are rendered concurrently through the Project's basic operating unit, which is diagrammed below:



Each Representative services a caseload of 15 to 25 participants assigned to him on the basis of their home neighborhoods.

Each Career Developer services the caseloads of both Reps on his team.

The Supervisor oversees all unit activities.

The Assistant to the Supervisor provides clerical services for the entire unit.

There are two such operational units in the Project.

CAREER DEVELOPMENT

Staff

Career Developers generally have academic backgrounds or relevant work experience, although not necessary as job developers. Their primary responsibility is to help place participants in a job, training, or academic setting. Their capacity to respond to participants' fears, needs and interests as they relate to vocational planning is equally important.

There are four Career Developers and one *Senior Career Developer* who oversees all activities pertaining to CD operations.

Operations

A CD works in a team with two Reps, servicing both their caseloads. A new participant is introduced to his CD by the Rep to whom he is assigned the day he enters the Project. The CD interviews the participant and discusses his previous work background, interests and abilities. Subsequent interviews are aimed at formulating clear-cut vocational objectives and taking the appropriate steps to achieve them. This means that the CD must follow up on referrals to places of employment, training or schooling.

Project Career Developers have established accounts with over 400 companies, firms and agencies. Many of these employers hire Project participants regularly. Some have special programs for the hard-core unemployed, subsidized either privately or by the government under Manpower Administration contracts.

CDs work to place participants by relying upon accounts already developed or by developing new accounts. To increase the pool of available jobs, CDs visit at least one potential employer each week.

CDs observe and record a participant's vocational progress during his three months in the Project. The number and type of referrals and placements, and the cooperation of the participant, serve as a basis for evaluating the participant's performance. CDs work closely with Reps to understand the participants' problems and vocational needs.

Impact

Not every participant is in need of or ready for employment. Some are satisfactorily employed at entry; some find employment through their own efforts; some are students; and some have personal problems which impair their ability to accept the responsibility of full-time employment.

Nevertheless, Career Developers have been able to provide employment for a significant number of Project participants. The extent of their efforts can be seen from the following table:

Year of Project	Total No. of Participants	Total Referrals	Total Placements	% Placements Per Referral
First	450	626	270	43.1%
Second	450	477	219	45.9%
Third	400	264	135	51.1%
Total:	1300	1367	624	45.7%

As the table indicates, not every referral results in a placement. The extent to which CDs have been able to refer participants is indicative of the large resources of career opportunities they have developed.

The decline in the number of referrals during the third year was due largely to the tightness of the job market. There were far fewer job openings during 1969-70 than in the two previous years. Nevertheless, more placements resulted per CD referral during the third year than in the previous years.

A participant's first placement is not always his last. Thirty-four percent of Project participants are placed more than once.

The most favorable view of the Project's impact on employment can be seen in terms of the employment status of participants who achieved dismissal of charges. (The Project calls participants who are recommended for, and achieve, dismissal of charges "dismissed participants"; participants whose cases are terminated without a recommendation for dismissal of charges are "terminated participants."

EMPLOYMENT STATUS OF DISMISSED PARTICIPANTS
AT INTAKE (BEFORE) AND AT DISMISSAL (AFTER)

Employment Status	First Year				Second Year				Third Year			
	Before		After		Before		After		Before		After	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Unemployed	111	79.3	2	1.4	107	54.9	0	0	109	49.1	0	0
Employed	20	14.3	128	91.4	84	43.1	186	95.4	68	30.6	176	79.3
Students	9	6.4	10	7.2	4	2.0	9	4.6	45	20.3	46	20.7
Total*	140		140		195		195		222		222	

*Total number of dismissed participants was 626; however, employment data was complete for only 557.

Participants who achieved dismissal of charges invariably improved their employment status during their time in the Project. Although satisfactory vocational adjustment was in most cases required for dismissal, the findings are significant nonetheless, especially in view of the Project's impact on participants' salary levels:

SUMMARY OF SALARY LEVELS OF DISMISSED PARTICIPANTS AT INTAKE (BEFORE) AND AT DISMISSAL (AFTER)

Salary	First Year		Second Year		Third Year	
	Before	After	Before	After	Before	After
$111–above	10.6%	17.2%	9.3%	14.7%	18.3%	21.8%
$81–110	21.1%	57.0%	29.3%	47.3%	55.9%	50.4%
$80–less	68.3%	25.8%	61.4%	38.0%	25.8%	27.8%
% employed	34.3%	91.4%	43.1%	95.4%	30.6%	79.3%
% students	6.4%	7.2%	2.0%	4.6%	20.3%	20.7%

The Project was most able to elevate the economic status of participants who entered the Project at the poverty level.

The figures for the third year are not as impressive as those for the other years because a change in the minimum wage law in July 1970 reduced the number of persons earning $80 or less per week, and because the participant population contained more students than in the previous years.

No appreciable impact was made on the skill-level of participants because of the short-term nature of the program. Project CDs were simply able to place participants in higher paying jobs.

The Project's long-term impact on the employment status of its participants has not yet been fully determined. An early effort to check the status of a random sample of 100 dismissed participants who had been out of the Project for 14 months yielded the following results:

EMPLOYMENT FOLLOW-UP OF 100 DISMISSED PARTICIPANTS OVER 14 MONTHS

100 dismissed participants:	30 employed at intake
	100 employed at dismissal
14 months later:	87 located
	70 still employed

Further employment follow-up studies have not been conducted because the Project lacks the manpower to track former participants and interview them personally to see if they are employed or have been employed for any length of time after leaving the Project.

Hopefully, it will be possible in the future to obtain reliable follow-up information through an independent agency.

For a more thorough discussion of the Project's employment services, see Chapter 3.

COUNSELING

Staff

Representatives are ex-convicts and/or ex-addicts who are recruited and trained by Project administrators (more recently by professional Trainers) to serve as counselors and role models for participants. As non-professionals with backgrounds similar to those of participants, they provide the credibility essential for effective counseling. There are eight Representatives on staff.

Supervisors are Representatives who have been promoted to manage the operational units. They oversee all unit activities. There are two Supervisors on staff.

Trainers are professional psychologists who were hired mid-way through the experimental phase to assist in the training of Representatives and to strengthen the counseling program. They meet regularly with Representatives and Supervisors to teach group counseling techniques and analyze tapes of the group counseling sessions. There are two Trainers on staff. Provisions have been made for internal promotion to the position of Trainer so that a Representative who becomes a Supervisor may later become a Trainer.

Operations

A new participant is assigned to a Rep the day he enters the Project. Since Representatives make home visits to participants, their caseloads consist of participants who live in the same geographical area.

During his first week in the Project, a new participant attends Orientation—his first group counseling session. A Representative who acts as the group leader explains what will be expected of participants during their time in the Project and prepares them to enter on-going group sessions. Orientation for new participants is usually one session.

After completing Orientation, a participant joins a regular group led by his Rep. Representatives use a variety of counseling techniques from verbal confrontation to video-taping. Their primary aim is to help participants articulate their feelings, to understand their behavior, to act responsibly and to direct themselves toward a constructive goal.

Group counseling sessions are conducted one evening a week at the Project's clubhouse a few blocks from the courts. Representatives also meet individually with their participants at the Project offices and visit participants and their families in their homes.

In order to remain in the Project and obtain a recommendation for a dismissal of charges, a participant must not be rearrested or use narcotics, must keep all appointments with Project staff, attend and become involved in all counseling sessions, and make a satisfactory vocational adjustment.

Representatives observe and record a participant's progress throughout his three months in the Project. After 90 days, a Representative composes a written summary of a participant's performance and recommends him for a dismissal of charges, or termination, or an additional adjournment. Once the Supervisor approves the Rep's recommendation, the participant is returned to court, accompanied by a Screener, with the written summary and a letter stating what recommendation was made.

Impact

It is difficult to measure precisely the impact of the Project's counseling program but, internal monitoring of certain trends during the experimental phase has shown the following:

1. during the first 22 months of operation, the rate of participant attendance at group counseling was 45%;

   during the last 9 months, the attendance rate rose to 67%.

2. during the first 22 months of operation, the rate of rearrest among participants while in the Project was 12%;

   during the last 9 months, the rate of rearrest among active participants was 2.9%.

3. during the first year of operation, dismissal of charges was recommended and accepted for 38.9% of the Project's participants;

   During the second year, the dismissal rate rose to 45.6%;

   During the third year, the dismissal rate reached 61.4%.

The distribution of terminations and dismissals for the entire participant population is as follows:

Year of Project	Total No.	Terminated (Remanded to Court) No.	Percent	Dismissed (Charges Dropped) No.	Percent
First	450	275	61.1%	175	38.9%
Second	450	245	54.4%	205	45.6%
Third	400	154	38.5%	246	61.5%
Total:	1300	674	51.8%	626	48.2%

These findings testify to the Project's growing expertise, much of which is attributable to the development of a strong, comprehensive counseling program (see Chapter 4).

SOCIAL SERVICES

The Project's Social Service Unit, acting in cooperation with the New York City Department of Social Services (formerly the Department of Social Welfare), was designed to respond to participants' immediate or temporary financial, medical, and housing needs.

Staff

A *Supervisor* and two *case-aides* were assigned to the Project by the Department of Social Services. This arrangement allows the Project to extend rather than duplicate existing welfare resources and enables the Department of Social Services to contribute to a program designed to make welfare recipients self-sustaining and to reduce the crime rate.

Operations

If a new participant needs money or immediate services of some kind, he is sent to the Social Services Unit the day he enters the Project. As an out-station of the Department of Social Services, the unit is able to:

1. insure the continuance of public assistance for participants who already receive it;
2. secure aid for those eligible but not yet receiving public assistance;
3. use Project resources to meet participants' immediate financial needs (up to $30), regardless of whether they are receiving or will be receiving public assistance; and
4. provide medical and housing assistance.

Impact

Of the first 100 participants accepted into the Project, 33% received financial assistance from the Social Services Unit. At present, 20% of active participants receive such assistance.

Nine percent of Project participants continue to receive aid through their neighborhood welfare centers after leaving the Project. The others do not appear on the welfare rolls again, most because they are employed, some because they have lost contact with the Project and the Department of Social Services.

RESEARCH AND EVALUATION

Research

The Project has a functional data-collection and reporting system for internal monitoring and external evaluation. The system is revised and refined to accommodate operational changes.

Members of Project staff who deal directly with participants—Screeners, Representatives and Career Developers—collect data and maintain records on their operations and on participants. More than 100 variables are recorded for each participant. The exchange of data among Screeners, Representatives, and Career Developers facilitates coordination of their work. Weekly reports, maintained by Supervisors and clerical personnel, allow the administrators to gauge the efficiency of operations. Research studies conducted by Project administrators and staff frequently result in operational changes. An index of all completed studies is kept up-to-date, providing outlines for subsequent investigations.

Evaluation

The Project's day-to-day operations are evaluated continually by Project administrators. Examples of indices used: the rate and composition of intake; dismissal and termination rates; the percentage of participants employed, in training or in school at any given time; and attendance at group counseling sessions.

A comprehensive evaluation of the Project's impact on recidivism* and related cost-benefits to the courts and the community was conducted by Project staff with the generous assistance of an outside evaluator.

*Defined as rearrest for the purposes of evaluation.

Recidivism

A comparative study of the rearrest rates of sample groups of dismissed and terminated Project participants, and a control group of Manhattan day court defendants selected from a three-month period prior to the beginning of the Project, yielded the following results:

12-MONTH RECIDIVISM RATES FOR CONTROL GROUP AND DISMISSED AND TERMINATED PARTICIPANTS

Date of Project Entry	Group	Total No. Subjects	Individuals Rearrested No.	Percent
	Control	91	29	31.9%
Initial 23 Months	Dismissed	152	24	15.8%
	Terminated	62	19	30.8%
Initial 13 Months	Dismissed	76	19	25.0%
	Terminated	30	11	36.7%
14-23 Months	Dismissed	76	5	6.6%
	Terminated	32	8	25.0%

As can be seen in the table, the study revealed the following:

1. during the initial 23 months of operation, the rearrest rate for the dismissed group was about 50% less than that of the terminated and control groups (statistically significant beyond the .01 level with chi square test);

2. this difference was due primarily to the sharp decline in the rearrest rate of dismissed participants accepted into the Project during its 14th–23rd months of operation. During the initial 13 months, the dismissed group's recidivism rate was approximately 22% less than that of the terminated group. However, during the 14th–23rd months of operation, the recidivism rate for the dismissed group was approximately 79% less than that of the control group and approximately 74% less than that of the terminated group. (Both are statistically significant beyond the .01 level with a chi square test.)

The Manhattan Court Employment Project effectively reduced the incidence of rearrest among dismissed participants. Terminated participants–whose general patterns of behavior reflect needs for rehabilitative responses other than those offered by the Project–were, in effect, a group of defendants merely diverted from the normal court processes for a few months. The fact that they recidivated at about the same rate as control group members (30.8% for Terminated, 31.9% for Control) strongly suggests that diversion from prosecution alone does not affect the likelihood of rearrest. But, as evidenced by the dismissed group, supportive and rehabilitative services *can* significantly alter the incidence of repeated criminal activity.

Cost-Benefits

The Manhattan Court Employment Project received $950,823 from the U.S. Department of Labor to cover the operating costs of its three-year demonstration phase. A total of 1300 defendants participated in the Project at a per-participant cost of $731.

A total of 626 participants completed the program successfully and received dismissals of

their charges. The cost of the Project per dismissed participant was $1,518. Other cost-benefits of the Project include:

1. savings to the courts and the community because of reduced recidivism among the Project's dismissed participants;

2. employment of ex-addicts and ex-convicts as non-professional counselors, many of whom might not have become productive members of society without the opportunity to lend their experiential knowledge to the Project;

3. the Project's assistance to the families and friends of participants.

Although these additional cost-benefits cannot be calculated precisely without a more detailed cost-benefit study, they clearly constitute a substantial economic and social benefit which can only become more impressive as the Project grows.

A thorough discussion of the Project's research efforts, recidivism study and cost-benefit analyses appears in Chapter 6.

HISTORY OF OPERATIONS

SETTING UP THE PROJECT

The Project was planned as part of an existing justice system, and the active support of judicial administrators was essential to establishing and administering it. Both the District Attorney and the judiciary helped in its design.

Representatives from the District Attorney's office and Project administrators came to an agreement on the general criteria for selecting participants and on the terms of participation. The District Attorney agreed that successful participants would not be prosecuted, and that failure to recommend other participants for dismissal of charges would not adversely affect them in the later prosecution of their cases.

On behalf of the sitting judges, the administrative judges of the Criminal Court approved the Project's outlines. Two months after the Project began, Criminal Court Administrative Judge Edward R. Dudley sent individual judges a memo describing the Project and noting the admission criteria.

The Chief of the Criminal Court approved the Project's request for access to court papers and introduced Project staff to the clerks in each court part. The mechanics of screening potential participants were left to the Project's own invention.

The Legal Aid Society, which represents more than 80% of the defendants in the Manhattan Criminal Court, served as consultants in formulating acceptance criteria and in devising the mechanics of screening. Legal Aid administrators encouraged their staff attorneys to allow Project staff to interview and work with their clients. As the Project became better known in the court, Legal Aid attorneys began advocating the assignment of defendants to the Project.

The New York City Office of Probation permitted the Project access to background information contained on the standard bail recommendation form attached to the court papers of most defendnats. This meant that Screeners immediately knew the address, employment status and educational background of defendants and could eliminate some defendants on the basis of their court papers alone, without having to spend time interviewing them. The department also agreed to consider allowing the Project to work with defendants who were under Probation's supervision following previous convictions.

The City of New York, through the Office of the Mayor (and in cooperation with the administrative judges of the Criminal Court), gave the Project office space in the court building and had it renovated to suit the Project's needs. The Criminal Justice Coordinating Council (CJCC) and its Manhattan Court Employment Project Committee, both created by Mayor John V. Lindsay, provided useful support in dealing with major agencies involved in the criminal justice system. The CJCC combines city agencies and representatives of private business in coordinated efforts to reduce crime and crime-related problems.

By and large, the Project has had good relations with the various court agencies. The Project has been aware of court administrators' need for information about its operations and has taken care to avoid infringing on their prerogatives, particularly in its relations with the administrators of the Criminal Court Bureau of the District Attorney's office.* In the first few months of operation, the head of the bureau was informed about every case in which either the facts or the defendant's eligibility was in question. The head of the bureau eventually named one of his assistants as liaison to the Project. This assistant reviews all final recommendations and surveys the screening process. Project staff members have talked to new assistants at scheduled training sessions, and many assistant district attorneys have visited Project offices.

The Project avoids identification with either the prosecution or the defense. It established itself as an alternative disposition available to the court, the District Attorney and the defense. Although administrators in the various court agencies endorsed the Project, gaining acceptance from the working staff of those agencies was a far slower process. It is a deeply held belief in our society that punishment should be the reward for crime. Although most people who work in the court know that fewer than one-fifth of those arraigned will spend time in prison, some exhibit emotional resistance to giving a defendant a "break"—and in the minds of some court personnel, the Manhattan Court Employment Project is a break. This attitude varies in its effect on Project operations, but it is a constant factor to consider. The experimental nature of the Project, and the fact that it exists by the good grace of the court and its agencies, have made the Project sensitive to the feelings of court staff and to unwritten traditions observed in the court building.

For most people in the court, information about the Project comes from their contact with Project Screeners. There is no doubt that the diplomacy of the Project's screening staff has contributed to the rapport the Project has been able to develop and sustain with court personnel. And there is no question that sponsorship by the Vera Institute of Justice and the Department of Labor were factors in gaining entry to the court and related agencies. Confidence in Vera and the Department of Labor inspired these agencies to give the Project a trial period in which to prove itself.

*The District Attorney's office comprises a number of bureaus, including Rackets, Homicide, Supreme Court and the Criminal Court. All new arraignments go through the Criminal Court Bureau and the majority remain there for prosecution. Most of our dealings have been with the assistant district attorney in charge of this important bureau.

SCREENING

Since the Project hoped eventually to work with a large number of participants in New York and to have its efforts duplicated in other cities, a screening format that could handle the relatively small number of defendants accepted during the experimental phase, but also could be expanded and adopted by other jurisdictions, was developed. The procedures for selecting defendants were based on readily available, objective information rather than on long interviews or investigations. They described classes of people, rather than individuals, who seemed likely to benefit from the Project; they were uniform and clear-cut.

DETERMINING ELIGIBILITY

The eligibility criteria were designed to eliminate from consideration those people least likely to benefit from a program of employment and intensive short-term counseling. From the beginning, alcoholics, addicts, and people who make large sums of money illegally–bookies, loansharks, numbers-runners, prostitutes and pimps–were excluded. Alcoholics and addicts inadvertently admitted into the Project have been serviced to the best of the Project's ability, but with little success.

Priority was given to defendants who were unemployed or under-employed, although subsequent criteria changes permitted the inclusion of high school students with both school and out-of-school problems.

Inevitably, the criteria were shaped also by the political realities of the court. While Project staff felt that they could work with defendants charged with serious felonies and having numerous prior arrests, it was clear that the court was reluctant to allow such defendants to participate.

To ease Project operations into existing court procedures, screening began in the Youth Part.*

During that beginning phase, defendants had to be:

1. male
2. age 16 to 19
3. residents of New York City
4. unemployed

*All defendants make their first appearance in the Arraignment Part. Each case is then adjourned, i.e., assigned a date for further hearings, in one of a number of courtrooms, generally referred to as Adjourned Parts. Sixteen to 18-year-olds are adjourned to the Youth Part.

5. charged with a violation or misdemeanor
6. free of drug involvement, alcoholism, and psychopathology
7. free of pending cases
8. without prison records of more than a year
9. not charged with offenses like gambling, which yield a substantial income
10. not students
11. not on probation.

In early 1968, the Project moved into the Arraignment Part and established its first official criteria, limiting participation to those who were:

1. male
2. age 17 to 45
3. residents of New York City with verifiable addresses
4. not identifiable drug addicts or alcoholics
5. unemployed, or if employed, not earning more than $70 per week plus $5 for each dependent
6. not charged with armed robbery, homicide, serious assault, first degree burglary, rape, kidnapping or arson
7. not full-time students
8. without prison records of more than six months
9. if on probation, having the consent of the probation officer
10. without more than one pending case; or if charged with a felony, without another felony charge pending.

These criteria were quite restrictive; out of every 1,000 cases examined, only about 10 qualified. But until the Project gained the confidence of the court, expanded its staff, and learned for itself the kinds of people to whom it could adequately respond, the restrictions were justifiable. The present more lenient criteria testify to the acceptance and support of the Project by court personnel, and to the Project's ability to extend its services to a larger percentage of the court's defendant population. Current eligibility criteria require that participants be:

1. male and female
2. age 16 to 45
3. unemployed, or if employed, not earning more than $125

4. residents of New York City, except of Queens or Staten Island, with verifiable addresses

5. not charged with a violation

6. not charged with homicide, rape, kidnapping or arson

7. not identifiable drug addicts or alcoholics (although those charged with possession of marijuana or hashish may be considered)

8. without prison records of more than a year

Defendants with pending cases are eligible, as are those on probation providing the probation officer agrees.

Out of every 1,000 cases examined, 20 qualify by the current criteria—twice as many as before. The reasons for the present criteria are as follows:

1. *Male and female defendants:* Most women are arrested on drug or prostitution charges. Since the Project was not equipped to deal effectively with drug problems nor to offer employment that could compete financially with prostitution, women initially were eliminated from consideration. After careful research of the female defendant population, however, it was discovered that about five or six females were arrested each week on charges other than drug or prostitution, and for them the Project could provide meaningful alternatives. In September 1970, the Project began accepting female participants.

2. *Age 16 to 45:* When the Project ceased operating out of Youth Court, 16-year-olds were excluded. Most had been "drop-outs" to whom the Project's vocational services were not geared. And most of them were too immature to meet the demands of the counseling program. But both the vocational and the counseling approaches have been expanded to respond to the special needs of these younger defendants, and they are once again being accepted into the Project.

   Persons over 45 are excluded because they present placement problems and usually have long criminal records and chronic personal problems which the Project is not equipped to deal with at the present time. The upper age limit is flexible, however, and waived on occasion.

3. *Unemployed, or if employed, not earning more than $125 per week:* An employment project obviously can be of most use to those who do not have jobs. Nevertheless, some people who are already working can benefit from the Project's services by seeking better jobs or entering training programs. Although the Project's limit on weekly earnings was originally $70 per week plus $5 for each dependent, a change in the minimum wage law in July 1970 necessitated that the limit be raised to $125 per week.

4. *Residents of New York City, except Queens or Staten Island, with verifiable addresses:* Participants living in the Bronx, Brooklyn, and Manhattan must have a verifiable address, since those without a permanent residence are more likely than others to disappear. If they do disappear, finding them is impossible.

   Because of the distance they must travel to Project facilities in Manhattan, persons living in Queens and Staten Island have difficulty attending group counseling and keeping office appointments. They are also more difficult to visit and to locate if

they do not appear for scheduled appointments. For these reasons persons living in Queens or Staten Island are excluded.

5. *Not charged with a violation:* Convictions on violation charges result in either a small fine or a short-term sentence (a maximum of 15 days), both of which are so inconsequential to most persons charged with violations that their cooperation with the Project has been minimal. In the past, defendants charged with violations who were admitted into the Project received dismissals at a much lower rate than the overall participant population. They are no longer routinely considered for admission, although this rule is waived on occasion.

6. *Not charged with homicide, rape, kidnapping or arson:* The nature of the charge against the defendant is key to how seriously his case is regarded by the court. Bail is consistenly set higher for defendants charged with serious crimes, and if they are convicted, sentences are stiffer. It would be extremely unrealistic to expect the court and the District Attorney to release such defendants. Therefore, persons charged with homicide, rape, kidnapping and arson are excluded automatically.

7. *Not an identifiable drug addict or alcoholic:* Problems of drug addicts and alcoholics are beyond the Project's capacity to treat, although those inadvertently admitted into the Project are serviced to the best of the staff's ability.

8. *Individuals who have not spent more than one year in a penal institution:* Like the seriousness of the charge, a defendant's prior record affects how the court regards his case. After consultation with prosecutors and administrative judges, Project staff decided that time spent in prison would be a selection factor. Consequently the limit was extended to one year and exceptions are made when necessary.

9. *Defendants with pending cases and those on probation:* A defendant who is arrested while on probation is liable to imprisonment on that basis alone. Although the Project can take a participant in this situation and work with him for three months, it does not do so if the probation officer plans to prosecute for the probation violation. In practice, the great majority of probation officers are glad to waive prosecution. Probation officers are kept informed of the progress of participants who are their responsibility. Marked progress may speed an end to a participant's probationary period.

Ultimately, the Project ought to be able to work with many defendants currently excluded by its criteria. The Project has found that:

1. certain criteria are no longer as applicable as they were originally. On several occasions the court has asked the Project to waive its upper age limit (45) and the length of prior time served (one year). When the Project did so, it found that it could respond adequately to these participants. As a result, these criteria may be eliminated;

2. while present criteria are geared to admit defendants to whom the Project can *now* respond, the staff feels a responsibility to develop approaches for defendants currently excluded. Research, investigation and planning are underway to develop services for both non-habituated hard drug users and addicts;

3. as the court has gained confidence in the Project, it has permitted consideration and acceptance of more serious cases. Only 17 of the first 100 participants were felony defendants compared to 50 of the last 100.

OPERATIONS: FINDING DEFENDANTS WHO MEET THE CRITERIA

Throughout the three-year demonstration phase, the role of the Manhattan Court Employment Project Screening Unit has been:

1. to screen the arrestee population to determine those defendants who are eligible and willing to participate;

2. to request the court's permission to stay prosecution for a period of three months so that those eligible and willing may participate in the Project.

When a person is arrested in Manhattan, he is taken by the arresting officer to a precinct house and booked. Some suspects, who are booked for minor offenses and who can prove strong community ties, are released immediately after booking and are given a summons to appear in court at a future date. For the vast majority, however, booking is the beginning of a tedious and oppressive process culminating in appearance before an arraignment court judge some 12 hours later.

If the arrestee is charged with a felony or certain misdemeanors, he is fingerprinted and photographed.* The officer is then required to pick up a copy of the defendant's prior criminal record (referred to as a Yellow Sheet), if any, from the Police Department's Bureau of Criminal Identification. He takes this to court.

All arrestees, whether or not they are fingerprinted and photographed, are taken by the arresting officer from the cells in the precinct house to the detention area of the Criminal Court Building. Upon entering, they are questioned by an officer of the Department of Probation about their place of residence, family, employment and schooling. He records this information on a standard form known as an R.O.R. (Release on Own Recognizance) Sheet. The information on the R.O.R. Sheet helps the arraignment court judge decide upon bail or parole for the defendant.

Meanwhile, the arresting officer goes to the Complaint Room of the Criminal Court where the complainant (if any) and an assistant district attorney draw up an affidavit formally stating the charges and details of the alleged crime. If the arresting officer has reason to believe that the arrestee is a narcotics addict, he checks off the symptoms he has observed on a CR-1 form, which is a checklist of possible addiction symptoms.

All of these forms—the Yellow Sheet, the R.O.R. sheet, the affidavit and the CR-1 form—are brought together in a packet by the arresting officer to the clerk of the arraignment court. The clerk hands the papers to a Project Screener manning a desk in the arraignment court clerk's office.

In retrospect, it is clear that introducing the Screening Unit at this point in the legal process enabled the Project to function efficiently. At first, Screeners lacked desk space of their own. They had to intercept defendant's court papers as the court clerk handed them to the defense attorney. Now, Screeners are handed automatically each court paper as soon as it is turned over to the court clerk by the arresting officer. Thus they have sufficient time to evaluate each defendant's eligibility.

The job of the Screener stationed at the desk in the arraignment court clerk's office is to check the information in the defendant's court papers against the Project's official criteria. It was hoped that this simple clerical operation would be sufficient to determine a

*As of September 1971, all arrestees, regardless of their charge, will be fingerprinted and photographed. This will greatly facilitate future follow-up studies on the rearrest rates of former participants.

defendant's eligibility. This hope, however, proved unrealistic. Court papers often lack vital information and at times contain inaccuracies. Arresting officers sometimes fail to inspect defendants closely for signs of narcotic addiction, and even when they observe such signs, they often fail to fill out a CR-1 form. No prior record sheet is attached in most misdemeanor cases. No information pertaining to alcoholism or psychopathology is noted. And most important, a review of court papers does not reveal whether a defendant would like to participate in the program. Clearly, Screeners need to interview defendants.

To facilitate this interview, a Screener stationed at the desk transfers all useful information from the court papers of potentially eligible defendants to an interview form. A second Screener uses this form to conduct the interview. First he makes sure that the case will not be called in court until he has determined the defendant's eligibility. Then he enters the detention pens to speak with the defendant. Talking through the bars in the crowded and noisy pens (the Project has been unable to provide a more desirable interviewing situation because of time, space and security problems), the Screener explains the program and ascertains whether the arrestee is interested. All but about 10% of those interviewed respond positively. The Screener proceeds with his questioning, seeking information on place and length of residency, employment, prior record, drug use and the circumstances of arrest.

The Screeners then verify the information they have obtained. Family, friends, or neighbors are contacted to validate the defendant's address. When no Yellow Sheet is attached to the court papers, the Bureau of Criminal Identification is called. A defendant's past or present employer also may be called.

Finally, the Screener finds the arresting officer and the complainant (if any) in the court room and interviews them. These interviews allow the Screener to:

1. secure information about the defendant's lifestyle since the arresting officer may be familiar with the defendant; and

2. explain the program and its rationale to the arresting officer and the complainant.

The arresting officer and complainant need not consent to the defendant's admission into the Project, but it is much easier to convince the court to grant the defendant's release to the Project if they do consent.

At this point, a Screener's investigation is complete. He must now decide:

1. that the defendant is eligible; or

2. that the defendant does not meet the eligibility requirements and should be rejected; or

3. that a decision cannot be made until the defendant's next court appearance and that the defendant should be "futured".

A Screener may have to future a case because a defendant's address has not yet been verified, or because the defendant may be on probation and his probation officer has not yet been contacted. At present, approximately 5% of cases that appear eligible on the basis of court papers are futured. Of the total number of defendants accepted into the Project each week (20), 25% come from futured cases.

During the Project's first two and one-half years of operation, a defendant found eligible by a Screener next would be interviewed by a Project Representative. Because of their superior knowledge of street life, the Reps were able to identify drug use and misrepresentation that

Screeners might have overlooked. The Reps trained the Screeners in interviewing techniques so the second interview was eliminated. The percentage of addicts inadvertently admitted into the Project (which had been decreasing steadily when the Reps were involved in screening) continued to decrease after the elimination of the Rep interview. At first, one out of every four accepted participants was later found to have a "drug problem." Currently, only one out of every 12 turns out to be drug-involved.

When a Screener finds a defendant eligible, he consults with the District Attorney's office. When the Project began, Screeners had to secure the approval of the assistant district attorney who was prosecuting the case. In January 1970, the Chief District Attorney of the Criminal Court Bureau appointed one Assistant District Attorney to act as Project liaison and to review all cases found eligible by Screeners. At first, this new arrangement was awkward. There were times when the assistant D.A. was absent, unavailable, or difficult to locate. The arrangement also tended to allow the ADA's prejudices to prevail more than they would have had he been only one of several assistant D.A.s consulted regularly by Screeners. These difficulties, however, have been overcome. The liaison now has assistants who can act for him when he is unavailable. Furthermore, because Screeners deal with the liaison over a long period of time, they have been able to establish a relationship of mutual respect and trust, which they had been unable to maintain in the initial stages of the program.

When the ADA approves a prospective participant, a Screener returns to court, requests that the case be called, and asks the presiding judge to parole the defendant for three months, so that he may participate in the Project. Judges grant about 90% of these requests. The ADA liaison frequently has helped Screeners convince the judge of the Project's appropriateness for a particular defendant.

At the end of the three-month adjournment, a participant returns to court accompanied by a Screener. A progress report on the participant is submitted by the Project, recommending one of three actions:

1. dismissal of the defendant's charges based on his favorable progress;

2. further adjournment of one, two, or three months to permit additional counseling; or

3. termination of the defendant's participation in the Project and the resumption of the prosecution of his case without prejudice.

As stated previously, a dismissal is recommended when a defendant has not been rearrested or used narcotics; when he has behaved responsibly, keeping all appointments with Project staff, agencies and prospective employers; when he has attended and become involved in all counseling sessions; and when he has made a satisfactory vocational adjustment.

If a participant has shown some progress but needs more time, another adjournment is requested. If the Project has been unable to work successfully with a participant, he is terminated.

In an average week, Project Screeners review the court papers of about 1,000 cases. On the basis of papers alone, 900 are eliminated from consideration.

The Screeners' interviews with defendants, officers, complainants, and friends and families of the defendants usually reduce the number of potential participants to about 22 per week. Of these, the A.D.A. liaison and the court reject about 1.2 per week. On the average, application of current eligibility criteria yield about 20 new participants each week.

Screeners are also responsible for introducing new participants to the Project's offices and maintaining complete statistics on each week's intake.

Over time, Screeners have refined their data-collection system. They now record more precise information on accepted and rejected defendants so that Project administrators know who is getting into the Project and why.

There are currently 10 Screeners in the unit. Three are Antioch students who receive academic credit for their work. Two are VISTA volunteers; one is a conscientious objector; and the rest are young people who have finished their undergraduate education or who have taken time off from their studies to work. Altogether, they have brought and continue to bring commitment, perseverance and enthusiasm to the difficult task of screening. Their attitude and capacity to respond have been so professional that they have been given full responsibility for all normal interactions between the court and the Project.

CAREER DEVELOPMENT

STAFF

The director of the Career Development Unit came to the Project from Project Develop, a job training and placement program for persons just released from New York State prisons (an earlier experimental and demonstration project of the Manpower Administration, U.S. Department of Labor). While director of Project Develop, he had decided that two traditionally separate tasks—interviewing applicants and promoting job accounts—should be handled by the same person. He had observed that those responsible for interviewing often lost contact with the reality of the job market, while those who promoted jobs were often insensitive to applicants' problems. His thinking influenced the formulation of the Project's Career Developer (CD) position. Project administrators decided that the person who helped a participant define his job skills would be the same person who found that participant his job. Project administrators were not necessarily interested in individuals with psychology credentials, although one of the original developers had a master's degree in psychology. They were definitely not interested in gregarious, hard-sell job promoters.

In December 1967, the Project advised 24 agencies of its Career Development staff needs. Most of the experienced promotional developers referred were talkers rather than listeners. The Project needed people who would invest time and energy in their relationships with participants, helping them to clarify and direct their thinking about opportunities in the job market. Project administrators eventually decided that they would have to sacrifice experience in order to find developers committed to the philosophy of the Project. Forty-five applicants came for interviews; four were hired. One had been a job developer, another had worked for a minority-group college placement agency, a third came from Project Develop, and the fourth had worked for an anti-poverty agency in Newark, N.J.

JOB DEVELOPMENT

The first task of the Career Development Unit was to develop a reservoir of available jobs. By the time the first participant was accepted into the Project in February 1968, the unit had canvassed 60 private and public, large and small firms in the metropolitan area. Staff discovered that large companies were able to plan for their employment needs and could establish permanent accounts with the Project. Small firms, with infrequent turnover and limited job offerings, were less able to accommodate the Project's needs.

CDs did, however, try to impress small employers with the Project's aims in the hope that these employers would call the Project if openings did occur. Staff also talked to non-profit vocational placement agencies. The Project arranged with the City for designation as a Neighborhood Manpower Center, which gave it access to jobs and training programs developed by the City's Manpower and Career Development Agency. In addition, the Project was permitted to certify its participants as "hard-core," thereby making them

eligible for private corporation training programs subsidized by the federal government under the Manpower Development and Training Act.

Large and Small Firms

CDs tended at first to try to place participants in small firms even though openings there were infrequent and unpredictable. Career Developers assumed that small firms would provide a friendlier work atmosphere and would be more flexible about job requirements. They also thought that small firm employers might be more likely to develop relationships with participants and their Career Developers than large firm employers. After one year, however, CDs realized that placements in large firms were more desirable. Large firms offered wider benefits, chances for advancement (growth and upgrading are generally built into positions in large corporations), and on-the-job training programs. CDs have placed increasing emphasis on developing accounts with large firms—particularly those with training programs subsidized by the Manpower Administration of the U.S. Department of Labor. Since employers with MA (Manpower Administration) contracts are publicly committed to hire the hard-core unemployed, participants are more likely to succeed in their companies than elsewhere.

Training Programs

From the beginning, Project staff members felt that it was better to place a participant in a training program where he could learn a skill than in a dead-end job. Training programs have varying desirability, however. Most participants are immature and have almost no patience for working towards a deferred goal. Unless support and possibility for advancement are demonstrated soon after a participant is placed, his job may become meaningless to him. Lengthy training programs remind him of school, which was too often associated with failure. CDs have found that publicly financed training programs, as opposed to MA programs, do not provide enough support for participants. Of the first 350 participants, only 30 accepted training positions in publicly financed schools or agencies and only six completed their courses. Participants are much more willing to accept training positions in MA programs which offer (in addition to training) remedial education, a reasonable starting salary and promise of advancement.

Employers

Virtually every employer approached by the Project has voiced a commitment to hire the hard-core unemployed. But few are aware of the real problems involved. As one Career Developer wrote in a moment of frustration: "What firms seem to be looking for are 1) hard-core unemployed who behave like middle-class employed, or 2) hard-core unemployed who behave like middle-class employed after several Pat O'Brien lectures by a supervisor."

CDs' approach with employers has been to discuss frankly the work and criminal backgrounds of the participants they plan to refer. This candid approach results in the withdrawal of many prospective employers, but it insures sympathetic cooperation from the employers who remain. CDs emphasize that they and the Reps will follow each participant's progress closely.

To increase the pool of available jobs, Career Developers visit at least one potential employer each week. The field visit is an essential part of job development and the most difficult. In a short time, the CD must find out what the employer's needs are, describe the Project, allay the employer's fears about hiring defendants, and get him to commit his firm to hiring a number of participants. The Project has tried to develop relationships with employers on whom it can depend for at least 12 placements per year.

Usually an employer goes to a Manpower agency to fill a specific need–he tells the agency job developer what he wants, and the agency supplies the right man. CDs don't always have to wait, however, for openings in firms with which the Project deals regularly. A CD can ask an employer to accommodate the needs and goals of a participant for whom there may not be an official job opening. For example, one participant with a talent for sketching was hired by the Art Department of a large company even though the list of positions available included only the usual entry-level clerical jobs. The Project has tried not to accept job orders passively or to urge participants to take any available job.

Once CDs achieve working relationships with large firms, they take care to maintain them. If several participants fail to appear for interviews or do poorly on the job, the next referrals will be the Project's most stable participants. Sometimes applicants may not be sent for a long time. The Project tries not to jeopardize its relationships with companies that may have openings in the future–particularly those that offer programs for upgrading employees.

During the last three years, the Career Development Unit has contracted with over 400 firms, unions and training programs. CDs use a system of shared accounts. Each CD makes independent contacts with businesses, but all employment information is pooled and recorded in Project files. The system of shared accounts was introduced for the benefit of new, inexperienced Career Developers, who can rely upon job opportunities already developed by co-workers rather than having to start from scratch.

REFERRALS

Although the Career Development interview has been tied as closely as possible to the formal intake procedure, the initial CD interview is conducted primarily to sustain the participant's interest. When a person has been arrested, booked, jailed, interviewed and brought before a judge in less than 20 hours, he is not in the best state of mind for job counseling. Few participants are sent to job interviews on their first day in the Project, but half are sent within their first week.

When the initial interview takes place, the CD obtains the following information on a participant's employment background:

1. percentage of previous year the participant was employed;
2. length of time the participant worked at his most recent job;
3. type of job he most recently held;
4. salary he most recently earned.

The typical participant–with a ghetto background, little advanced schooling, few skills and scanty employment experience–has never faced a range of job opportunities or been in a position to exercise a meaningful preference. CDs ask participants about their interests, their former job experiences and their ambitions. At some point they ask each participant to choose a job. When the CD, the participant and his Rep are satisfied with the choice, employers are called and attempts to arrange an interview are made.

A Career Developer draws on three sources for jobs: large companies ("house accounts"), companies with smaller and less frequent manpower needs, and new contracts. If he finds an opening, he talks with the participant to prepare him for the coming interview. He may also help the participant prepare for any tests he may be asked to take and write him a letter of recommendation.

A participant's first job interview is rarely his last. CDs average 2.2 referrals for every placement. The following table reveals the frequency with which participants are referred.

FREQUENCY OF REFERRALS

Year of Project	Year One		Year Two		Year Three		Total	
No. Times Part. Referred	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Once	102	39.8%	114	50.4%	79	61.2%	295	48.3%
Twice	62	24.2%	49	21.7%	20	15.5%	131	21.4%
3 Times	29	11.3%	27	12.0%	15	11.6%	71	11.6%
4 Times	31	12.1%	16	7.1%	7	5.4%	54	8.8%
5 Times	13	5.1%	10	4.4%	4	3.1%	27	4.4%
6 Times	9	3.5%	4	1.8%	2	1.6%	15	2.5%
7-11 Times	10	3.9%	6	2.7%	2	1.6%	18	2.9%
Total No. Part. Referred	256		226		129		611	

Most participants who fail to report for a job interview do not come back to the Project without prodding. Similarly, when a participant appears for an interview and is not hired–especially when the interviewer does not explain *why* he is not hired–he generally does not return to the Project unless he is given a great deal of encouragement. If a CD feels an employer has made a mistake in not hiring a participant, the CD may talk to the employer. Some employer rejections have been enormously frustrating: one participant was rejected from a hard-core program because of his poor work background–essentially, because he was hard-core. In any case, CDs try to learn from their placement attempts. And since the Project strengthened its counseling program, appointments missed by participants have been cut in half.

PLACEMENTS

Participants require not only several referrals, but also several placements. Although some participants seek new placements because they are ready for better jobs, most seek new placements because they have been unable to retain their previous jobs. In general, they have poor work habits. They have failed at work, at school, and often with family and friends. About 34% of the Project's participants have to be placed two or more times:

FREQUENCY OF PLACEMENTS

Year of Project	Total No. Part. Placed	Once		Twice		3 Times		4-6 Times	
		No.	Percent	No.	Percent	No.	Percent	No.	Percent
Year One	177	111	62.7%	44	24.9%	17	9.6%	5	2.8%
Year Two	154	101	65.6%	41	26.6%	8	5.2%	4	2.6%
Year Three	101	75	74.3%	19	18.8%	6	5.9%	1	1.0%
TOTAL	432	287	66.4%	104	24.1%	31	7.2%	10	2.3%

Career Developers believe that the critical determinant of whether a person will stay on the job is the extent of the employer's commitment to help him succeed. Employers who are willing to:

1. lower entrance requirements (waiving demands for diplomas or clean criminal records)
2. offer a training program with remediation and counseling
3. provide systematic up-grading for unskilled jobs, and
4. commit their administrative and supervisory staff to the growth and development of entry-level employees

succeed with the Project's participants, and participants succeed with them. No employment project–court-based or otherwise–ought to funnel untrained, unskilled persons into dead-end jobs.

PROJECT IMPACT ON EMPLOYMENT

Not every participant is in need of or ready for employment: some are satisfactorily employed at entry; some find employment through their own efforts; some are students; and some have personal problems which impair their ability to accept the responsibility of full-time employment for a significant number of Project participants as the following table shows:

Year of Project	Total No. of Participants	Total Referrals	Total Placements	Percentage of Placements Per Referral
First	450	626	270	43.1%
Second	450	477	219	45.9%
Third	400	264	135	51.1%
Total	1300	1367	624	45.7%

Not every referral results in a placement, but the number of referrals does indicate the extent of the career resources that the CDs have been able to develop. The decline in the number of referrals during the third year was due largely to the tightness of the job market. There were fewer job openings during 1969-70 than in the two previous years. Nevertheless, more placements per CD referral resulted during the third year than in the previous years. Because CDs now work more closely with a participant and his Rep, they are able to make more appropriate referrals–referrals that will more often result in placements.

The most favorable view of the Project's impact on employment can be seen in terms of its dismissed participants:

EMPLOYMENT STATUS OF DISMISSED PARTICIPANTS
AT INTAKE (BEFORE) AND AT DISMISSAL (AFTER)

Employment Status	First Year				Second Year				Third Year			
	Before		After		Before		After		Before		After	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
Unemployed	111	79.3%	2	1.4%	107	54.9%	0	0.0%	109	49.1%	0	0.0%
Employed	20	14.3%	128	91.4%	84	43.1%	186	95.4%	68	30.6%	176	79.3%
Students	9	6.4%	10	7.2%	4	2.0%	9	4.6%	45	20.3%	46	20.7%
Total*	140		140		195		195		222		222	

*Total number of dismissed participants was 626; however, employment data was complete for only 557.

Participants who achieved dismissal of charges invariably improved their employment status during their time in the Project. Although satisfactory vocational adjustment was in most cases required for dismissal, the findings are significant nonetheless, especially in view of the Project's impact on participants' salary levels:

SALARY LEVELS OF DISMISSED PARTICIPANTS
AT INTAKE (BEFORE) AND AT DISMISSAL (AFTER)

Weekly Salary	First Year				Second Year				Third Year			
	Before		After		Before		After		Before		After	
	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent	No.	Percent
$131–	1	5.3%	3	3.2%	1	1.6%	6	4.6%	3	3.2%	6	4.1%
$121–30	0	0.0%	5	5.4%	1	1.6%	4	3.1%	6	6.5%	6	4.1%
$111–20	1	5.3%	8	8.6%	4	6.1%	9	7.0%	8	8.6%	20	13.6%
$101–10	1	5.3%	12	12.9%	1	1.6%	6	4.6%	11	11.8%	12	8.2%
$91–100	1	5.3%	18	19.4%	7	10.8%	29	22.5%	18	19.4%	26	17.7%
$81–90	2	10.5%	23	24.7%	11	16.9%	26	20.2%	23	24.7%	36	24.5%
$71–80	4	21.0%	11	11.8%	17	26.1%	31	24.0%	11	11.8%	29	19.7%
$61–70	7	36.8%	7	7.6%	17	26.1%	14	10.9%	7	7.5%	9	6.1%
$60 or less	2	10.5%	6	6.4%	6	9.2%	4	3.1%	6	6.5%	3	2.0%
TOTAL	19		93		65		129		93		147	

The Project was most able to elevate the economic status of participants who entered the Project at the poverty level.

The figures for the third year are not as impressive as those for the other years because a change in the minimum wage law in July, 1970, reduced the number of persons earning $80 or less per week, and because the participant population contained more students than in previous years.

Surprisingly, starting salaries have no effect on whether a person will stay on the job. Project administrators conducted a study that showed exactly the same retention rate for jobs paying more than $90 per week as for jobs paying less than that. More participants were fired from higher paying jobs, and more were quitting the low paying ones. Raises, not starting salaries, may be the key to job retention. Career Developers have suggested that employers start participants at salaries lower than planned so that small, frequent raises can be given, each one based on merit.

COUNSELING

STAFF

During the planning stages, Project administrators learned that academically trained counselors were in great demand and expensive to hire, and they suspected that non-professionals, whose backgrounds and sensitivities were similar to potential participants', could be trained to perform as well, or better, than "pros."

Project administrators decided to use "non-pros" in the counseling positions and immediately became more comfortable with the plan as they examined the tangential benefits. Beyond the obvious plusses of having a staff that could be believed by participants, a staff that could easily be expanded–and duplicated in other cities, since it derived from a relatively untapped labor source–the Project itself, if it functioned well, would become a dramatic commercial to all employers who would eventually be contacted to hire Project participants.

To find non-professionals, Project administrators sent notices to every agency in the city that trained, helped or found jobs for ghetto residents. They asked specifically for applicants with personal warmth, no more than a high school education (college graduates were not considered) and knowledge of New York City. Within three days there were 91 applicants, who generally represented the agencies' difficult-to-place clients. Project administrators were reluctant to see the job restricted to blacks and ex-offenders, for reasons of both staff morale and public opinion; but staff members and applicants finally all agreed that it did not make sense to leave positions open just in order to locate qualified whites and non-offenders.

The first 91 applicants were interviewed individually; 55 were asked back for interviews in small groups; 15 came back for final group interviews. Nine were hired. All had prison records ranging from two months to eight years, on charges including armed robbery, burglary and car theft. With their permission, Project administrators reviewed their criminal and employment records. One of the nine was eliminated when it was found that he had not been candid about his past. The remainder had been frank, and their references–former employers, parole officers, narcotics program administrators–offered no information to discourage their hiring. All began work shortly after New Year's Day of 1968. Thus the road from "pros" to "cons" was walked in part decisively, in part fortuitously.

Initial Training

To train and supervise the new counselors, an Associate Director of Counseling and two Counseling Supervisors had been hired. All had civil service backgrounds, academic credentials, and counseling experience, and all welcomed the challenge of working with non-professionals.

In January, Project staff members, Vera Institute administrators, court and police personnel, social workers and psychologists discussed their own jobs and organizations with the trainee counselors, as part of a planned training period. The trainees toured the courts, practiced interviewing at a Board of Education counseling center, and visited social agencies in the city. They met frequently as a group with their Supervisors to discuss their feelings about the job, their strengths and weaknesses, their backgrounds, their futures, and the social implications of what they were attempting. Most had been adversely affected by their prison experiences: they were suspicious of the courts, their Supervisors and the Project's goals. Perhaps their greatest fear was that they would fail or the job would fail them.

The training period lacked precise focus. No one knew exactly for what job the trainees were being prepared. Would the job center around a field base, office base or counseling center base? Would the trainees peak at being supportive, or was the Project staff good enough to train them to counsel? How would they be trained on the job: how much would be teaching, how much counseling, i.e., helping them to understand their own fears, anxieties and problems so that they would function better in counseling roles?

At the end of the training period, everyone agreed that the trainees would have to function supportively at first, simply "rapping" with participants, but it was hoped that ultimately the trainers would do counseling as well. The counseling program would encompass both individual and group techniques; the counseling job would involve a combination of office, field and counseling center bases; and participants would be given tasks to perform (attendance and involvement at group and individual counseling sessions) rather than just being visited in their own neighborhoods and homes.

The staff also decided during those four weeks on a job title. The trainees did not want a name that linked them with any existing jobs or that carried menial connotations. Since they were responsible for representing the Project to participants, the court, and other agencies, they chose "Representative" and have since become the "Reps."

Retrospective

The history of the first group of Representatives, only one of whom is still with the Project, highlights some of the Project's early problems. The first Representative disappeared in March 1968, reappeared a few weeks later and then disappeared again, which surprised everyone since he seemed to be among the most self-confident and effective Reps. The second was discharged after seven months because his mercurial shifts in temperament strained his relationships with his Supervisors and fellow Reps. The third resigned after 10 months. He had worked diligently but had had little success in relating to participants. He is now in an administrative position with an anti-poverty agency. The fourth suffered a recurrence of an internal ailment related to his previous drug addiction and, even after partial recovery, was too weak to resume his position. The fifth resigned after a year and one-half to enroll in college full time. The sixth was unable to adjust to the Project's structured program. The seventh was not functioning well on the job primarily because he had not dealt adequately with his own problems.

Because the Rep's job was ambiguously defined and its demands untested, it had been difficult to screen applicants intelligently. As Project Administrators gained experience at interviewing and hiring, and as the Rep's duties were defined, the Project began to hire Reps who behaved responsibly, functioned well, and were easily trained.

In retrospect, the soundest and most fortuitous decision made was to build a counseling program on the talents and experiences of non-professionals with backgrounds similar to the participants. From the beginning, the Reps have provided the credibility essential for

effective counseling.

History of Staff Responsibilities

Representatives

Representatives' responsibilities have changed continually during the Project's three years of operation. For the first two years, the Rep's job was to:

1. help screen prospective participants;
2. take primary responsibility for the progress of 15 to 25 participants, attempting to gain each one's trust and cooperation, and helping them to solve their personal, financial, legal, medical and vocational problems;
3. refer participants to appropriate services and agencies (including the Project's own Social Services Unit) when needed;
4. meet with all his participants one night a week at the Project's club house for a group counseling session;
5. make field visits to participants' homes at least once during their time in the Project;
6. plan each group meeting, with his Supervisor;
7. maintain statistical and descriptive records of each participant's progress;
8. determine the appropriate time to refer the participant to the Project's Career Development Unit, advise the CD of the participant's needs, and follow the Career Development Unit's work with the participant;
9. help participants secure the return of fingerprints and bail money when applicable;
10. help vacate bench warrants (that is, get a defendant who missed a court appearance back on the court calendar without penalty);
11. prepare an initial recommendation for the dismissal, adjournment, or termination of his participants' cases for the court;
12. appear in court with each participant to provide information about his progress;
13. continue his own training as counselor through individual sessions with his Supervisor and group meetings once a week with the whole counseling unit; and
14. meet applicants for the position of Representative and interview them in a group setting.

These responsibilities have been modified in three major respects:

1. Reps no longer screen potential participants.
2. Reps no longer appear with participants in court.
3. Career Developers and Reps work in teams to service and counsel participants.

Except in rare instances where a Screener is unsure of drug use, Reps no longer interview defendants before intake. Screeners have learned from Reps how to evaluate potential participants. Screeners also have assumed responsibility for court appearances to free Reps from time-consuming delays in court. Team work between Career Developers and Representatives will be discussed later.

Supervisors

Originally, only professional counselors were considered for the position of Counseling Supervisor. During the first two years of operation, the Counseling Supervisor's chief duties were to:

1. oversee all unit activities;
2. maintain statistical records of Representatives' activities, track the progress of participants handled by their unit, and write reports on participants for the court;
3. teach counseling techniques and help Reps plan for group sessions;
4. provide job-related counseling for Reps, including weekly group sessions for counseling staff.

With the subsequent coordination of the career development and counseling units of the Project, the position of Counseling Supervisor underwent extensive redefinition.

The Team Approach

The Project's counseling and employment services originally were designed as separate units—Human Services and Career Development—each headed by an Associate Project Director. Project administrators thought that this functional division of responsibilities would facilitate staff training and supervision.

From the Career Developer's point of view, however, the situation presented a continuing morale problem. The CD's work with participants centered only on vocational problems—lack of or dissatisfaction with work, schooling or training. Emotional problems, while possibly job-related, were strictly the province of the counseling unit. CDs worked hard to place participants, but lost contact with them once they were hired. Career Developers felt they were functioning simply as placement machines, which gave them little satisfaction.

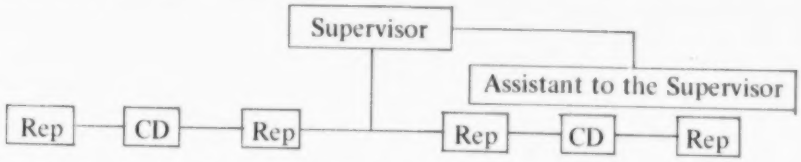
The first Representatives brought strong feelings of inadequacy and insecurity to their jobs. They overestimated the degree of intimacy they could develop with participants; they expected instant confessions of personal problems. While their expectations were rarely fulfilled, they felt that whatever participants did tell them should be confidential. Consequently, Career Developers were operating with insufficient information. Participants' case files were not available to them, depriving them of important information on participants' job strengths and weaknesses. Neither the Reps nor the CDs were benefitting from the others' insights.

The staffing pattern created problems beyond operations: it did not provide career opportunities for employees. As long as professionals staffed the Supervisor positions, the Rep was in a dead-end job. Career Developers were limited in upward mobility to one position—Associate Director of Career Development.

After analyzing these problems, Project administrators decided in January, 1970 to create teams consisting of two Reps and one CD (the staff ratio). Representatives in each team are

partners and cover for each other on field days, vacations and sick days. The Career Developer vocationally services both their caseloads. The three now share a set of records. They work closely as a team, exchanging confidential information as a matter of course. The office has been rearranged to facilitate the team work—desks are grouped in threes.

The Supervisor's position has been restructured to suit the team approach and to provide promotional opportunities for both Reps and CDs. The basic Supervisory unit now consists of six members in two teams:



An Assistant to the Supervisor has been added to the structure to provide clerical support. There are presently two such units of six, each headed by a Supervisor who had been a Rep. (CDs also can be promoted to Supervisor.)

In time, it became apparent that there was a need for the professional psychologist to assist staff training and counseling. It had been awkward for the professionals to function as Supervisors. Much of their time and talent was dissipated in administration, retrieving data, writing court reports, and preparing unit reports. Moreover, it was difficult to function as both Supervisor and Counselor of an employee who might be reluctant to discuss fears and anxieties—possible obstacles to efficient functioning—with a counselor who was also the "boss".

The decision to use promoted Reps and CDs as Supervisors was coincidental with the decision to take the professional psychologist out of the chain of command so that he could function solely as a staff trainer and counselor. The position is called "Trainer".

One Trainer was needed for every two supervisory units, plus one to concentrate on training for Screeners and on special training in vocational counseling for CDs.

Adding Trainers to the staff has strengthened the counseling program. Specifically, they have been instrumental in articulating job relevance, psycho-dynamic concepts and managerial needs. They have helped the entire staff to communicate freely with each other and with participants, and helped the administrators with their daily responsibilities.

GROUP COUNSELING

For more than a year no one was sure what Reps and participants could accomplish together in the space of three months. The Project experimented constantly; at one time there were as many as 10 different group counseling plans. It was hard sometimes for Reps and participants to know what was expected of them. No one knew exactly what a participant had to do to get his case dismissed: work and attend group sessions? work and get involved in group sessions? just work? Administrators realized that while Supervisors were telling Reps to get participants involved in group, dismissals were being granted to participants who spent 12 weeks being quiet, obedient, and uninvolved. Many Representatives did not feel comfortable in their relationships with participants. While trying to understand Reps' difficulties, Project administrators were anxious to develop the best possible program. But, they felt that if the program wasn't good enough to get a participant involved, it wasn't fair to penalize him with an adjournment instead of dismissal.

The program lacked definition; the Project needed to state its objectives more clearly and to find or train Representatives who could achieve them.

In the summer of 1969, six new Representatives were hired. All were ex-addicts who had graduated from therapeutic communities, where five had held staff and administrative positions. They brought to the Project the "confrontation" style of counseling which encourages group members to express aggressively their feelings towards each other. Reps who had been working in the Project argued that this approach could not succeed in a non-residential setting. After much discussion, a counseling approach was developed that was built on the experiences of both groups of Representatives.

The new program is much more structured. Following an extensive intake interview with a new participant, the Rep schedules him for his first group meeting, Orientation. Orientation eases the participant into a group and explains what will be expected of him while he is in the Project. After completing Orientation, a participant is promoted to an on-going group headed by his Rep. On-going groups are taped. The tapes are used by Trainers to help Supervisors and Reps analyze, identify, and understand participants' problems.

Reps conduct group sessions at the Project's Lispenard Street clubhouse, located a few blocks from the court building. The highly charged atmosphere of the Criminal Court Building is not conducive to honest group confrontation. The clubhouse is a five-room suite, generously furnished by Playboy Enterprises with brightly-colored chairs, low coffee tables, a paperback library, a pool table and a stereo set.

FIELD VISITS

Reps have always made field visits to participants' homes. Seeing a participant on his own "turf" gives a Rep a more complete picture of the participant. He can double-check the participant's address, meet his family and friends, and talk to them about the program. When the Project began in 1968, each defendant was assigned at intake to the first available Rep. Participants were distributed equally so that no Rep had more than 20 in his caseload. Later, caseloads were organized geographically to minimize travel time in the field.

Originally, Reps spent half their time in the field. Project administrators knew the Reps felt uncomfortable in an office setting, and they wanted to take advantage of their ability to move easily in the city's ghetto neighborhoods. As the counseling program became more defined, however, Reps have had to spend more time in the office to report to Supervisors, prepare for group, listen to tapes and attend training sessions. Field visits still are important, but they are scheduled carefully. No Rep goes into the field without an appointment. He makes his first home visit during a participant's second week in the Project. Later, he visits the participant at his job or at school to check his attendance record and speak with his employer or teacher. A Rep now spends one and one-half days in the field—half the previous field time.

HIRING

Project administrators now know what it takes to be a competent, successful Representative. To maintain the caliber of the staff, they look for candidates with:

1. ability to differentiate between thinking and feeling;
2. ability to deal with office pressures;
3. ability to express themselves verbally and in writing;

4. potential for development;

5. friendliness and an ability to relate to participants while maintaining objectivity; and

6. willingness and ability to accept constructive criticism.

Procedures for hiring Reps have changed. At first, the entire staff of Representatives interviewed all applicants and passed their recommendations on to the Supervisor. This system took too much of the Representatives' time. Now the Counseling Supervisor sees the applicants first and eliminates all but the most qualified. The Reps as a group then interview those who remain, using the confrontation-style approach, for which the applicants have not been prepared. By applying this kind of pressure, the Reps and Supervisors learn a great deal about an applicant's strengths and weaknesses. It is a grueling interview, but a mistake in hiring a Representative is considered damaging to the Project and a disservice to the applicant and to participants.

CONCLUSION

The counseling unit's most significant achievement in the last three years has been the development of a sophisticated and effective counseling program that draws on the talents both of non-professional Representatives and of Career Developers. Arranging the two staffs in teams has encouraged CDs and Reps to produce for each other as well as for participants.

And they have produced. During the first year of operation, dismissals of charges were recommended and accepted for 38.9% of the Project's participants; during the second year, the rate was 45.6%; and during the third year, 61.4%. During the first 22 months of operation the rate of rearrest among active participants was 12%; during the last six months the rate was 2.9%. During the first 22 months the rate of participant attendance at group counseling sessions was 45%; during the last six months it was 67%. And despite the dearth of jobs available on any level, an average of 78% of the participants were working, in a training program, or in school during the three-year period.

SOCIAL SERVICES

From the beginning, Project administrators knew that participants would need financial assistance. Whatever their economic status, it was sure to be disrupted by their arrest. A Social Services Unit was designed to:

1. insure the continuance of public assistance for participants already receiving it;
2. secure aid for those eligible but not yet receiving public assistance; and
3. use Project resources to meet participants' immediate financial needs (up to $30) regardless of whether they were receiving or would be seeking public assistance.

Project administrators negotiated with the Commissioner of the New York City Department of Social Services (DSS, formerly the Department of Welfare) to make the Project's Social Services Unit an outstation of DSS. The Commissioner assigned a supervisor and two case-aides to staff the unit. This arrangement has allowed the Project to extend rather than duplicate existing welfare resources and has enabled DSS to contribute to a program designed to make welfare recipients self-sustaining and to reduce the crime rate.

Project administrators decided not to pay stipends to participants, either to secure their interest in the Project or to maintain them until they were self-supporting. To do so might have been feasible during the experimental phase, but would have been impossible on the large scale the Project might reach. The Project is able, however, to grant minimal financial assistance to needy participants–if necessary, on the first day they enter the Project. The Social Services staff then tries to secure assistance from existing public resources. The DSS provides semi-monthly grants to the unemployed and the under-employed. Participants may also receive medical and housing assistance through the Department of Social Services.

Of the first 100 participants, 33% received financial assistance from the Social Services Unit. At present, 20% of active participants receive such assistance; 9% of Project participants continue to receive aid through their neighborhood welfare centers after leaving the program. The others do not appear on the welfare rolls again, the majority because they are employed, some because they have lost contact with the Project and the Department of Social Services.

The responsibilities of the Project's Social Services Unit were broadened in May, 1970. The Social Services Exchange (SSE), a private, non-profit organization located in New York City, maintains records of all contacts made by an individual with any city, state or private agency. Project administrators realized that access to these records would enable them to learn more about participants and their needs. The SSE agreed to make their information available to the Project. A Social Service Exchange form is filled out on every participant accepted into the Project and sent to SSE. The form is checked against SSE records, and a

list is made of every known agency a participant has contacted. When necessary, the Project contacts these agencies for information about a participant. Such information is frequently helpful to Reps and CDs.

The unit Supervisor has been largely responsible for the smooth cooperation between the Project and the Department of Social Services. He has also been particularly successful in establishing liaisons with private charitable organizations throughout New York City. These agencies can be called upon to provide such specific items as clothing, furniture and utensils. The Supervisor participates in training new Representatives, informing them of the various benefits available to needy participants. Unfortunately, the unit's effectiveness has been hampered recently by DSS's failure to assign enough case aides to the Project. Additional personnel is expected soon.

RESEARCH AND EVALUATION

A demonstration project has multiple goals: to implement and test an idea; to measure and analyze performance; and to communicate the results.

The Project's original goals were to establish an effective operation and to create a data-collection and recording system for Project use and outside evaluation. The Project's design was based on studies of population passing through the criminal justice system and the mechanics of that system itself. In selecting data to be gathered, the staff was guided by published reports of manpower agencies and projects, advice from consultants, and its own collective judgment. Selecting data categories provided insights into the problems of evaluating a program like the Manhattan Court Employment Project, whose complex services are subject to rough measurement at best and whose staff members see themselves as doers, not researchers.

Nevertheless, Project staff members have recorded as much information as they could, even if there was no immediate use for it. Forms were designed and tested before the first participant was accepted. Screeners, Representatives and Career Developers have maintained statistics and reports on participants and operations, and have exchanged data regularly with one another and with Project administrators.

Many operational changes were made based on studies of the data: eligibility criteria were changed, Reps and CDs were reorganized in teams, Reps were eliminated from the screening process, Trainers were added to the staff. Data helped Project administrators to plan for staff needs, set salaries and budgets, compare the project's effectiveness with that of other agencies, and report its work to court administrators and other interested persons. Data enabled Project staff to prepare training manuals for new staff, to follow up on the progress of former participants, and to make recommendations for the expansion and institutionalization of the Project.

For the most part, Project administrators have been able to deal with the short-range data collection process. As the Project's demonstration phase draws to an end, however, plans are being made for converting from hand storage and retrieval to electronic data-processing.

To evaluate the Project's long-range impact on participants and its benefits to the criminal justice system and the community, extensive efforts were made to measure the recidivism rates of former participants and the cost-benefits of the Project's overall operations. The Project staff retrieved the data for these studies and tabulated and analyzed the results with the aid of an outside evaluator, Dr. Edward J. Yarosz. The Project is greatly indebted to Dr. Yarosz for lending his professional expertise to these efforts.

RECIDIVISM STUDY

Purpose and Design

The recidivism study originally was designed to compare the rearrest rates of three defendant populations:

1. *dismissed* or successful Project participants whose vocational status, attendance and involvement at counseling sessions, and overall behavior earned them a recommendation for dismissal of charges which was granted by the court;

2. *terminated* or unsuccessful Project participants whose inability to meet Project demands and overall irresponsible behavior resulted in their termination from the Project and their return to the normal court processes;

3. *control* group of defendants selected from Manhattan Day Court from the three-month period prior to the beginning of the Project in February, 1968. Individuals in this group were matched closely with dismissed participants (see *Selection of Subjects*).

The primary intent of the study was to determine whether successful Project participants differed in rearrest from comparable defendants who had not had the benefit of the Project's services. The secondary intent was to determine whether successful participants differed from unsuccessful participants in rearrest rates.

Design Limitations

Two factors precluded the study from adhering to a true experimental design. First, a true control group was unavailable. Ideally, a control group should have been established at the outset by screening defendants for Project eligibility and denying some of them participation. This was not done because 1) the experimental nature of the Project demanded initial emphasis on effective day-to-day operations, and, 2) denying participation for the purposes of research violated the humanitarian tenets of the Project and the sensitivities of the staff.

Nevertheless, it was possible to construct a group of defendants comparable to the Project's dismissed population (see *Selection of Subjects*) who had not had the opportunity to participate in the Project and who could serve as a valid comparison if not a true control.

Second, the study was conducted *ex post facto*. Ideally, it should have been at the outset of the program. Nevertheless, the *ex post facto* design permits consideration of some of the important internal changes made to strengthen the program during its three-year experimental phase.

Methodology

Selection of Subjects

The study, as originally planned, was to include 100 randomly selected dismissed participants, 100 terminated participants matched according to the intake dates of the dismissed sample, and 100 defendants comparable to the dismissed population selected from the three-month period of Manhattan Day Court operations prior to the beginning of the Project. The goal of selecting equal numbers of subjects for each group proved unrealistic and was modified in the following respects:

1. *dismissed sample*: A random sample of 100 participants was created as originally planned. In the course of securing rearrest data, the study population was expanded to include all the Project's dismissed participants as of October, 1969. As of that date, 247 participants had received dismissals. Reliable rearrest information was later obtained for only 152 of the 247 dismissed participants. Thus, the sample group of dismissed participants contains 152 subjects.

2. *terminated sample*: One hundred terminated participants, matched according to the intake dates of the members of the dismissed group, were chosen as originally planned. Reliable rearrest information was later obtained for only 62 of the 100 originally chosen. Thus, the sample group of terminated participants contains 62 subjects.

3. *control sample*: Constructing a control group presented special problems. An examination of the court papers of Manhattan Day Court defendants from the three-month period prior to the beginning of the Project yielded a group of 150 arrestees who, on the basis of their court papers, might have been eligible to participate in the Project.

Eligibility criteria were carefully adhered to in the review of these defendants' papers. The final control sample was composed of only those defendants who were clearly not ineligible and whose charges at the time, prior drug arrests, ages, and places of residency closely matched the sample of dismissed participants. The number of control group subjects who appeared eligible on the basis of their court papers, and for whom reliable rearrest information was later obtained, was 91.

Collection of Dependent Variable Information

The Bureau of Criminal Identification of the New York City Police Department (B.C.I.) supplies rearrest information to the courts in order to help judges make decisions regarding bail and sentencing. At the time the study was conducted, only arrests for fingerprintable offenses (all felonies and most misdemeanors) were officially recorded by B.C.I.* Records of such arrests appear on one or more sheets referred to as Yellow Sheets which are identified by a number known as a B number. Knowing a defendant's B number assures access to his criminal record. In the absence of a B number, a record is theoretically traceable through B.C.I.'s index –given the defendant's name, last arrest, charge, address and date of birth. The requisite information for the dismissed, terminated and control groups was gathered in the form of either B numbers or personal information which Project researchers sent to B.C.I. B.C.I. personnel in turn sent the Project whatever Yellow Sheets they had for all subjects. It was assumed that if no Yellow Sheet was returned on a given subject, he had not been rearrested.**

Limitations in Collection of Dependent Variable Information

For many defendants in each group a B number was not available. Violations and certain misdemeanors are not fingerprintable and are therefore not recorded. No effective way

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*In the future, all arrestees will be fingerprinted and photographed regardless of the nature of their charge. This will greatly facilitate further follow-up studies.

**Unfortunately, this assumption could not be made with complete assurance. In some instances, a Representative knew that a former participant had been rearrested even though no Yellow Sheet had been returned on him. These subjects were deleted from the sample group of Project participants but there was no way of determining whether or not control group members for whom no Yellow Sheets were returned had nevertheless been rearrested.

existed to track non-fingerprintable offenses. Personal information submitted to B.C.I. in the absence of a B number was adequate for most Project participants, but only approximate in many cases for the control group. It is likely that there were control group members who had been rearrested but who were not identified by B.C.I. Project researchers had to rely on the B.C.I. staff and detectives assigned by the District Attorney's office to gather the follow-up information; they could not detect or control whatever errors may have been made in data-collection.

Another source of bias may have been sentencing. Dismissed participants were the only subjects who were known with certainty to be back on the street and free for the possibility of rearrest. B.C.I. posts rearrests immediately, but they are months behind in the disposition of Yellow Sheets. It is possible that a few members of both the control and the terminated groups were incarcerated as a result of the dispositions of their cases or detained for some of the time they were assumed to be free for the possibility of rearrest.

Breakdown of follow-up Information

The sample groups of Project participants were divided into two categories:

1. those who entered the Project during its initial 13 months of operation; and

2. those who entered the Project during its 14th to 23rd months of operation.

The grouping was designed to determine whether there was a decline in participant rearrest rates during the course of the Project. Presumably, participants entering the Project during its later stages had the benefit of expertise that did not exist in the early stages.

Eighteen-month recidivism rates were calculated for participants who entered the Project during its first 13 months. At the time the study was conducted, not all of the participants accepted during the Project's 14th to 23rd months had been out of the Project for 18 months; rearrest rates for these Project participants were measured over a period of 12 months following the dates each subject left the Project.

The rearrest rates of control group members were measured 12 and 18 months from the dates of their court contact during the three-month period prior to the beginning of the Project.

For all groups, the nature of the rearrest charge was disregarded except when the offense involved narcotics. The Project's policy has always been to exclude narcotics offenders from participation. During the Project's first 13 months, however, one out of every four participants accepted was later found to have a "drug problem." Half the dismissed and terminated participants included in the study were accepted during this period. Since the likelihood of repeated criminal activity is high among narcotics users, an effort was made to determine the extent to which rearrests for drug offenses contributed to the recidivism rates of each group.

Recidivism rates for all groups were calcualted on the basis of the number and percentage of individual subjects rearrested.

Table 1

12-MONTH RECIDIVISM RATES FOR CONTROL GROUP AND DISMISSED AND TERMINATED PARTICIPANTS

Date of Project Entry	Group	Total No. Subjects	Individuals Rearrested No.	Individuals Rearrested Percent
	Control	91	29	31.9%
Initial 23 Months	Dismissed	152	24	15.8%
	Terminated	62	19	30.8%
Initial 13 Months	Dismissed	76	19	25.0%
	Terminated	30	11	36.7%
14-23 Months	Dismissed	76	5	6.6%
	Terminated	32	8	25.0%

As can be seen in Table 1, the 12-month follow-up study revealed the following:

1. During the initial 23 months of operation, the rearrest rate for the dismissed group was about 50% less than that of the terminated and control groups (statistically significant beyond the .01 level with chi square test)

2. This difference is due primarily to the sharp decline in the rearrest rate of subsequently dismissed participants who were accepted into the Project during its 14th to 23rd months.

   During the initial 13 months of operation, the dismissed group's recidivism rate was approximately 22% less than that of the control group, and only 32% less than that of the terminated group. During the 14th to 23rd months, however, the recidivism rate for the dismissed group was approximately 79% less than that of the control group and approximately 74% less than that of the terminated group (both are statistically significant beyond the .01 level with chi square test).

Table 2

18-MONTH RECIDIVISM RATES FOR THE CONTROL GROUP AND PARTICIPANTS ENTERING THE PROJECT DURING ITS FIRST 13 MONTHS OF OPERATION

Date of Project Entry	Group	Total No. Subjects	Individuals Rearrested No.	Individuals Rearrested Percent
	Control	91	36	39.5%
Initial 13 Months	Dismissed	76	19	25.0%
	Terminated	30	12	40.0%

As can be seen in Table 2, comparison of the 18-month recidivism rates for participants entering the Project during its initial 13 months of operation and the control group shows the dismissed group with a recidivism rate of about 38% of both the terminated and control groups (statistically significant at the .01 level with a chi square test).

Table 3

12-MONTH DRUG RECIDIVISM RATES FOR THE CONTROL, DISMISSED, AND TERMINATED GROUPS

Date of Project Entry	Group	No. of Subjects	Total No. Rearrested	Individuals Rearrested for Drugs		
				No.	Percent	Percentage of Those Rearrested
1 – 23 Months	Dismissed	152	24	12	7.9%	50.0%
	Terminated	62	19	8	12.9%	42.1%
Initial 13 Months	Dismissed	76	19	10	13.2%	52.5%
	Terminated	30	11	7	23.3%	63.6%
14 – 23 Months	Dismissed	76	5	2	2.6%	40.0%
	Terminated	32	8	1	3.1%	12.5%
	Control	91	29	8	8.8%	27.6%

As can be seen in Table 3, the 12-month rearrest rates for drugs revealed the following:

1. Both dismissed and terminated participants accepted into the Project during its initial 13 months showed a higher percentage of rearrests for drugs than dismissed and terminated participants accepted during the 14th to 23rd months of operation.

2. Both dismissed and terminated participants accepted into the Project during its initial 13 months were rearrested for drugs almost twice as often as members of the control group.

3. The number of dismissed and terminated participants accepted into the Project during its 14th to 23rd months who were rearrested for drugs is too insignificant to make any valid comparison but is probably indicative of the Project's greater ability to screen out addicts during its later stages than during its initial months of operation.

Representativeness of Sample Groups

Complete data was available for only 61.5% of the dismissed group initially selected as subjects, 62% of the terminated group, and 60.7% of the control group. The investigators were concerned about the representativeness of the sample participant groups and subsequently compared the study samples with the entire Project population on the following characteristics: ethnicity, marital status, age, and education. The results are presented below:

Table 4

	Dismissed	Terminated	Total Project Population
Ethnicity			
Black	41.4%	46.6%	50.2%
Puerto Rican	41.4%	34.5%	30.5%
White	13.6%	18.9%	14.2%
Other	3.6%	0.0%	5.1%
Marital Status			
Married	18.9%	19.0%	22.0%
Single	79.7%	77.8%	74.8%
Widowed, divorced, separated	1.4%	3.2%	3.2%
Age			
Median	19	19	19
Range	16-41	16-40	16-44
Education			
Median	10th Grade	10th Grade	10th Grade
Range	3-12	3 – some college	3 – some college

As Table 4 illustrates, the sample groups are generally representative of the total Project population. There is a somewhat lower percentage of blacks and others and a higher percentage of Puerto Ricans and whites in the sample groups than in the total group. Marital status, age and education are highly similar for all groups.

The control group was compared with the dismissed and terminated groups on charge and age.

Table 5

Charges	Control	Dismissed	Terminated
Soft Drugs	5.5%	7.7%	5.3%
Larceny	25.7%	24.7%	32.9%
Assault	13.8%	8.8%	7.9%
Burglary	13.8%	10.4%	9.2%
Weapons	8.8%	5.6%	3.9%
Disorderly Conduct	6.4%	11.5%	9.2%
Resisting Arrest	7.3%	6.0%	3.9%
Auto Offenses	1.8%	2.2%	5.3%
Robbery	9.2%	11.5%	13.2%
Forgery	0.9%	2.8%	1.3%
Other	7.8%	8.8%	7.9%
Ages			
Range	16-38	16-41	16-40
Median	22	19	19

As can be seen above, the groups were highly similar in terms of charges. The differential in arrest charges ranged from as little as 1.5% (forgery) to no more than 8.2% (larceny). The control group was somewhat older than the sample groups (a median of 22 years for the control and 19 for the sample groups), a factor which would tend to favor the control group, since older defendants are inclined to be more stable than younger ones. The age difference between the groups is not great enough, however, to create a substantial bias.

In summary, all of the sample groups are generally representative of the total Project participant population. No attempts were made to project adjustments for any factors since the differences were insignificant.

Other Limitations

Three additional factors in the selection of the control group may be sources of bias:

1. Project participants are interviewed personally by Project screeners in order to determine eligibility.

2. Project participants are asked if they want to participate.

3. Project participants must be granted the court's permission to enter the Project.

None of these considerations could be applied to control group members since they were selected on the sole basis of their court papers.

Conclusions

The follow-up study on the recidivism of dismissed and terminated Manhattan Court Employment Project participants and on a group of comparable defendants not diverted into the Project revealed the following:

1. Recidivism was substantially reduced for the dismissed participant group in comparison to the terminated and control groups.

2. Recidivism among terminated participants was approximately the same as among control group members.

In addition, it is clear that a pre-trial intervention program of intensive manpower services needs to screen out potential drug arrestees or to develop an appropriate pre-trial response to their addiction if recidivism is to be reduced. Such a project also needs more than one year in which to develop expertise and demonstrate its capabilities.

COST-BENEFITS STUDY

The cost of operating the Manhattan Court Employment Project during its three-year demonstration phase was $950,823. During this time, a total of 1,300 participants were given the opportunity to benefit from the Project's services. The average cost per participant was $731.

Of the total, 674 participants did not complete the program successfully and were terminated from the Project. No direct measurable benefits were accrued as a result of their involvement in the Project, although some may have benefited indirectly. On the other hand, 626 participants completed the program and had their charges dismissed. The average cost of the Project per dismissed participant was $1,518.

Since a satisfactory vocational adjustment (which usually means achieving full employment) was in most instances a prerequisite for receiving a dismissal of charges, the earnings of dismissed participants constituted the major economic contribution of the Project. Other economic benefits which accrued but which cannot be calculated with precision include the following:

1. the recidivism benefit, i.e., the savings to the courts and the community as a result of fewer rearrests among dismissed Project participants as compared to terminated participants and control group members; and

2. the Project's internal benefits, i.e., the fact that the Project employs on its staff persons who are highly discriminated against (ex-addicts and ex-convicts), and that it offers counseling and vocational services to relatives of participants.

Earnings Benefit

Wages can be assumed to be a useful measure of the Project's contribution, not only to its dismissed participants but also to the community. Although it may be argued that the employment gains of previously unemployed participants meant reduced employment opportunities for others, it must be remembered that Project participants, if convicted, would have been highly likely to remain unemployed and highly likely to recidivate.

Researchers calculated the estimated annual wages of dismissed participants "before" and "after" Project participation. Participants who were employed at entry and participants who achieved employment in the Project both showed increases in earnings. The calculations appear in Tables 1, 2, and 3 and are summarized in Table 4.

Table 1

ESTIMATED ANNUAL EARNINGS OF FIRST-YEAR DISMISSED PARTICIPANTS "BEFORE" AND "AFTER" PROJECT PARTICIPATION

Annual Wages	First Year "Before" No. Participants	Total $	First Year "After" No. Participants	Total $
$7,020	1	$ 7,020	3	$ 21,060
6,500	0	.....	5	32,500
5,980	1	5,980	8	47,840
5,460	1	5,460	12	65,520
4,940	1	4,940	18	88,920
4,420	2	8,840	23	101,660
3,900	4	15,600	11	42,900
3,380	7	23,660	7	23,660
2,860	2	5,720	6	17,160
Total*	19	$77,220	93	$441,220

*Complete salary information was unavailable for some dismissed subjects.

Table 2

ESTIMATED ANNUAL EARNINGS OF SECOND-YEAR DISMISSED PARTICIPANTS "BEFORE" AND "AFTER" PROJECT PARTICIPATION

Annual Wages	Second-Year "Before" No. Participants	Total $	Second-Year "After" No. Participants	Total $
$7,020	1	$ 7,020	6	$ 42,120
6,500	1	6,500	4	26,000
5,980	4	23,920	9	53,820
5,460	1	5,460	6	32,760
4,940	7	34,580	29	143,260
4,420	11	48,620	26	114,920
3,900	17	66,300	31	120,900
3,380	17	57,460	14	47,320
2,860	6	17,160	4	11,440
Total*	65	$267,020	129	$592,540

Table 3

ESTIMATED ANNUAL EARNINGS OF THIRD-YEAR DISMISSED PARTICIPANTS "BEFORE" AND "AFTER" PROJECT PARTICIPATION

Annual Wages	Third-Year "Before" No. Participants	Total $	Third-Year "After" No. Participants	Total $
$7,020	3	$ 21,060	6	$ 42,120
6,500	6	39,000	6	39,000
5,980	8	47,840	20	119,600
5,460	11	60,060	12	65,520
4,940	18	88,920	26	128,440
4,420	23	101,660	36	159,120
3,900	11	42,900	29	113,100
3,380	7	23,660	9	30,420
2,860	6	17,160	3	8,580
Total*	93	$442,260	147	$705,900

Table 4

SUMMARY OF ESTIMATED ANNUAL EARNINGS OF DISMISSED PARTICIPANTS

	First Year	Second Year	Third Year	Total
After	$441,220	$592,540	$705,900	$1,739,660
Before	$ 77,220	$267,020	$442,260	$ 786,500
Increase	$364,000	$325,520	$263,640	$ 953,160

*Complete salary information was unavailable for some dismissed subjects.

Since about 80% of dismissed participants tend still to be employed 14 months after leaving the Project, a 20% reduction in the total estimated increase is more than adequate as a correction factor. Thus, a conservative estimate of the total increase in earnings would be $762,528. Even if there were a 50% loss of employment 14 months after leaving the Project, the total estimated increase would be $476,580 and the total earnings benefit would be $1,263,080, which far exceeds the operating cost of $950,823.

Recidivism Benefit

As previously explicated, Project participants who received dismissals of charges were rearrested at significantly lower rates than either terminated participants or control group members. Furthermore, there was a decrease in the rate of rearrest among dismissed participants during the Project's first 23 months of operation: the 25% rate for the first 13 months dropped to 6.6% for the 14th to 23rd months.

At the same time, the number and percentage of participants who completed the program successfully each year increased: 39% during the first year; 46% during the second; and 61.5% during the third.

If it is assumed that the Project was largely responsible for the low incidence of rearrests among its dismissed participants, then it is possible to estimate the number of dismissed participants who would have been rearrested (on the basis of the rearrest rates of the terminated and control populations, or about 31%) had they not had the benefit of the Project's services:

Table 5

EXPECTED[1] AND ACTUAL[2] REARREST RATES FOR DISMISSED PARTICIPANTS DURING THE INITIAL 23 MONTHS OF OPERATION

	First 13 Months No.	14th to 23rd Months No.	Total No.
No. Dismissed Participants	175	205	380
Expected	54	64	118
Actual	44	14	58
Decrease	10	50	60

[1] Expected, at the 31% rate of those who did not successfully complete the program and those in the control.

[2] Actual, based on the 25% rate for the first 13 months, and the 7% rate for the 14th to 23rd months of Project operation.

As can be seen in table 5, it is highly likely that the Project prevented at least 60 arrests.* If past records are used for predicting the probable charges for these arrests, about 65% would have been misdemeanors, about 30% felonies, and about 5% violations.

The economic benefit of the reduced arrest rate cannot be calculated precisely. Although the cost of the crimes to the victims might be calculated (about half of the dismissed participants originally were arrested for property-related crimes), it would be inaccurate to assume that the cost of operating the courts, police protection, prisons and probation

*During the Project's first 23 months of operation.

programs would be reduced directly by the estimated 60 "saved" arrests. There are savings in these areas, however, which can be identified if not measured. For example, the savings in the cost of pre-trial detention (based on an average stay of 30 days at $12 per day) for 60 arrestees would be $21,600. And although it is difficult to predict how many of the "probable" rearrests would have resulted in convictions and subsequent prison, parole and probation time, it is clear that costs in these areas were avoided as a result of the Project's ability to reduce the recidivism rate of its dismissed participants. Savings in these areas would only become substantial, however, if pre-trial diversion projects with a demonstrated ability to reduce recidivism were to become the rule rather than the exception in the judicial process.

Internal Benefits

The Project itself employs many individuals whose life experiences and backgrounds would otherwise preclude or severely hamper their ability to achieve economic and social stability. During the Project's three years of operation, 20 non-professional ex-addicts and ex-convicts have been employed as counselors. The vast majority of those Reps who left the Project went on to other legitimate occupations as counselors or administrators in other agencies. These individuals not only have made substantial personal gains which can be counted as a benefit to society, but also have helped the Project to become an impressive model for other employers and officials interested in social rehabilitation.

In addition, the Project has lent its services to many "unofficial" participants. The staff has provided counseling, vocational planning, housing assistance and medical referrals to immediate family members and relatives of many participants.

It is impossible to measure these social benefits in economic terms, but they clearly must be considered in any evaluation of the Project's overall achievements. Although they are technically by-products of the Project's operations, they will become increasingly significant as the Project expands its operations and its staff. They are clearly of general social advantage and must be considered in any evaluation of the Project's benefits.

SPECIAL PROBLEMS

NARCOTICS ADDICTS

Project administrators knew that addicts would have difficulty committing themselves to the Project's goals, particularly employment. Addicts generally cannot meet responsibilities beyond satisfying their "habits." If the Project were to admit them, it would risk their being rearrested for crimes committed to support their needs, the cost of which could not be covered by any salaried job the Project could offer them. Experts trained in addiction treatment maintain that addicts allowed to focus on anything except their need for treatment want to think that they can get along simultaneously in the straight and addict's world.

For these reasons, the Project's first rule was: don't take a defendant into the Project if you think that he is an addict. The screening criteria initially excluded any defendant who had been arrested at any time for possession or sale of drugs or drug apparatus, regardless of the type of drug involved or the disposition of the case. The Project also excluded any defendant who admitted he was an addict or who showed signs of addiction during his interview with a Screener or Rep.

There is a staggering proportion of addicts in the general court population, and it was inevitable that some would be taken into the Project inadvertently. Nevertheless, it was a shock to find out that one out of every four defendants who came through the Project's screening process was later found to be using drugs to an extent that impaired his participation. Participants who use drugs are discovered in several ways: most tell their Reps, many are visibly addicted, some are identified by their parents, and some give evidence of a drug problem by failing to keep appointments or disappearing. Calling all of these participants "addicts" may be inaccurate—there are substantial variations in how often they use drugs, what drugs they use, and how they take them. But whether they are called serious drug users or addicts, they have drug problems—which, from the Project's point of view, overshadows everything else about them.

Although the Representative staff visited most of the drug treatment centers in the city during the training period, the Project had not formulated a policy for dealing with addicts, mostly because it did not expect to have to deal with very many of them. At first the staff tried to help them kick their habits without entering treatment centers. Many continued to be referred to places of employment after their addiction had been discovered. This practice was discontinued when it became obvious that they were unable to hold jobs and that their condition had not been helped by the experience.* But when the Project decided to refer them to treatment centers, it had difficulty getting them admitted. Only recently, and after

*Because of the faster referral to Career Development now, some are placed in jobs before they are discovered to be addicts. Their poor job retention almost always relieves us of having to decide whether to warn their employers. A known addict is never referred for employment. A suspected addict who insists he is not addicted and insists he wants a job is referred.

considerable negotiation with the directors of these treatment centers, has the Project been able to insure a fairly prompt admission for its participants–at least for those who want help. Drug addiction programs in the city screen heavily for motivation. The addicts coming into the Project are randomly selected, and predictably few want to shake their habits.

Throughout the three-year demonstration phase, the staff has devoted disproportionate amounts of time to working with addicted participants. Many drug users have been forced to admit they have a problem. Some have decreased drug use; some have given it up altogether. Fifteen to 20% of those who have been identified have entered treatment centers–though few have completed their residency. By Project standards of success, staff has been of minimal assistance. Addicts have received one-fifth as many dismissals as other participants.

Having realized its inability to respond effectively to addicts, the Project has tried to screen them out as often as possible. Screeners, with the aid of the ex-addict Representatives, have been able to reduce the addicted population in the Project considerably. Currently, only one out of every 12 defendants coming into the Project is later found to have a drug problem. The Screeners' increased ability to detect and eliminate addicts has permitted the Project to accept less serious drug users. There are considerable differences between the heroin addict and the occasional marijuana smoker. The staff's judgment that it could work successfully with occasional drug users, without increasing the addicted population, has proven correct.

Reps still commit themselves to addict participants; if they give up, they feel, no one else will be there to help. But, they are pessimistic about the Project's chances for success with the addict population. An early attempt to set up an intra-Project treatment program failed because the screening process did not deliver adequately motivated participants. Project staff members are acutely aware, however, of the need to develop an approach for addicts, and they are now designing a treatment program to be established within the criminal justice system.

WOMEN

As mentioned in Chapter 2, the eligibility criteria have been expanded to admit certain female defendants. The initial decision to exclude them reflected Project administrators' desire to limit variables as much as possible until the Project knew what it was doing. Once the staff became reasonably competent, however, Project administrators realized the necessity for and challenge of developing an effective program for female defendants.

In the summer of 1970, a two-week survey was conducted on females arraigned in the Manhattan Criminal Court. Researchers examined court papers of female arrestees and interviewed them in the detention pens. Of the 586 women arraigned in weekday court during that period, approximately 12 were found eligible by existing criteria standards. Most were ineligible because of prostitution or drug charges. It was determined, however, that the Project could take in five to six females per week who were eligible and willing to participate. Shortly thereafter, two female Reps were hired, training began, and intake procedures were inaugurated. Since that time, an average of three to four female participants have been admitted into the Project each week.

The admission of females required the Project to develop liaisons with many outside agencies such as day-care centers, abortion clinics, and pre-natal care programs. The Project's counseling program has been modified to accommodate the special needs of females. The women who have been admitted tend to see their problems in a more personal way than male participants, and are less concerned with employment or careers. The Project's approach has been successful to date: eight of the thirteen female participants have received dismissals. The Representative staff is currently experimenting with co-ed groups. Since

many of the participants' problems are tied to their inability to relate to other human beings, the co-ed setting encourages them to explore their problems in a more true-to-life situation.

CONCLUSION AND EPILOGUE

The Project has extended its horizons since the first days of operation. But its essential goal has been and continues to be to demonstrate that structured intervention before trial can change a defendant's life and help him to become more socially productive. It is still too early to determine the Project's long-range effects on participants. Preliminary findings have been encouraging, however, and have led Project staff, New York City officials, and approximately 12 communities beyond New York to conclude that for selected defendants, a program of counseling and employment in lieu of trial is worth continuing. It is the Project's hope that it can continue to demonstrate the efficacy of this approach and that those engaged in similar efforts will benefit from its experiences and succeed as it has.

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In November, 1970, The Manhattan Court Employment Project ended its three-year demonstration phase as a pilot project operated by the Vera Institute of Justice and funded by the U.S. Department of Labor. At the request of the City of New York and the District Attorneys of the city's four largest counties, the Project was incorporated on December 1, 1970, and its services were contracted to the City. Since then, it has doubled the scope of its Manhattan operations and has extended its services into Brooklyn and the Bronx. Project administrators hope to be operating in Queens by 1973. The Mayor and other city and court officials continue to support the Project.